DOCUMENT RESUME

ED 103 033 JC 750 175

AUTHOR Esquibel, Antonio
TITLE A Review of Public Two-Year Institutions of Higher Education in New Mexico.
INSTITUTION New Mexico Univ., Albuquerque. Dept. of Educational Administration.
PUB DATE Dec 74
NOTE 75p.

EDRS PRICE MF-$0.76 HC-$3.32 PLUS POSTAGE
DESCRIPTORS Colleges; *Educational History; *Educational Legislation; Educational Planning; Enrollment Trends; *Junior Colleges; Literature Reviews; Post Secondary Education; *Public Education; *State of the Art Reviews
IDENTIFIERS Branch Campuses; *New Mexico

ABSTRACT

This study was conducted to establish "The State of the Art" of public two-year colleges in New Mexico. Previous studies of two-year institutions in New Mexico are reviewed. A historical review of two-year colleges and a legislative history of junior colleges in New Mexico are presented. Although New Mexico does not have a coordinated state system of junior colleges, enrollment in two-year institutions has increased over 200 percent during the last 10 years. New Mexico now has nine branch community college campuses, which are governed by a parent four-year college, and only one junior college, which is controlled by a junior college board elected by the junior college district's voters. New Mexico also has one military institute, three technical/vocational institutes, and five private and six public four-year institutions. In general, two-year colleges in New Mexico have been relegated to the status of stepchild of other institutions. Because they add prestige to the communities in which they are located, branch colleges give the parent institutions additional political clout in the state legislature; this political reality must be considered in future attempts to establish junior college legislation. Another fact to be considered is that vocational/technical courses offered at the branch campuses do not generate FTE for funding purposes. (DC)

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A REVIEW OF PUBLIC TWO-YEAR INSTITUTIONS OF HIGHER EDUCATION IN NEW MEXICO

Antonio Esquibel
College of Education
University of New Mexico

December, 1974

Department of Educational Administration

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PREFACE

This Review of Public Two-Year Institutions of Higher Education in New Mexico is a timely and important document which will make a valuable contribution to the sparse literature in this educational thrust.

Notwithstanding the leveling off in student enrollment in universities and colleges across the country, there has been a dramatic surge in establishing, making additions to, and increased enrollment in two-year institutions of higher education. In New Mexico there is increased public interest and dialogue on the need for two-year institutions of higher education with special interest in the establishment of a community college. This review has examined the sparse literature, especially in New Mexico, dealing with the subject. Mr. Esquibel has painfully studied the little-known and unfamiliar reports, surveys, hearings, legislation, and documents and has placed them at the fingertips of those who are interested in this subject, more especially for those decision makers who will decide the future implementation of a two-year community college in New Mexico.

Several important conclusions are found in this report: (a) confusion seems to exist in the interchangeable use of the terms of College, Branch Colleges, and Community Colleges, (b) the geo-political realities contained in this report will have to be considered for the implementation of community colleges in New Mexico.

This review is a must for those who will decide and are vitally interested in the future of higher education in New Mexico and the growth of two-year institutions of higher education in general.

It has been a personal privilege to have collaborated with Antonio Esquibel in documenting this valuable information.

Dr. Henry J. Casso
Executive Secretary
National Education Task Force
de la Raza

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A REVIEW OF PUBLIC TWO-YLAR INSTITUTIONS OF HIGHER EDUCATION IN NEW MEXICO

Abstract

This study was conducted to establish "The State of the Art" of two-year institutions of higher education in the state of New Mexico. Previous studies of two-year institutions in New Mexico were studied. A historical review of two-year institutions was conducted as well as a legislative history of junior colleges in New Mexico.

This study only indirectly addresses itself to the Vocational Technical Institutes and four-year institutions of higher education in New Mexico.

The study concludes that:

1. there is no statewide system of junior colleges in New Mexico,
2. only limited data exists on the 11 junior colleges in New Mexico,
3. two types of junior colleges exist in New Mexico -- the district junior college and the Branch Community Colleges of four-year institutions,
4. the Board of Educational Finance is the coordinating board,
5. the general population is unaware of the status of junior colleges,
6. universities with Branch Colleges have greater political clout than those without branches,
7. junior colleges are lower in status than four-year institutions,
8. students do attend two-year institutions if they are accessible,
9. there is a need for a statewide study to determine the feasibility of a statewide junior college system,

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10. vocational technical courses do not generally generate FTE, and,
11. no recent history of higher education in New Mexico exists.

Recommendations which can be made based on this study are:

1. The state legislature finance a statewide study to determine the feasibility of (a) a statewide system of junior colleges, (b) the branch colleges becoming district junior colleges, (c) junior college districts for the remainder of the state being established, and, (d) Voc-Tech courses generating FTE.
2. State legislation be drafted and introduced based upon the finding of such a study.
3. Supporters of a statewide junior college system work directly with; local school boards, communities and state legislatures to show the advantages of a state system of junior colleges for their respective communities.

This study is recommended as a basic document for those studying the junior college question in New Mexico.

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INTRODUCTION

There appears to be little written information on junior colleges in New Mexico. At a time when much dialogue is taking place on the junior college question it appears as though the proponents are talking from a zero data base. It was felt important to establish a base line from which to make sound recommendations. This study is an attempt to establish the State of the Art of Junior colleges in New Mexico.

Statement of the Problem

The problem for this study can be stated as what is the status of junior colleges in the state of New Mexico?

Goals of the Study

Four goals were established to guide the research for this study:

1. To identify, locate and review previous studies conducted on public two-year institutions of higher education in New Mexico.
2. To review the history of public two-year institutions of higher education in New Mexico.
3. To review the legislative history of public two-year institutions of higher education in New Mexico.
4. To identify the status of public two-year institutions of higher education in New Mexico.

Definition of Terms

The terms below are dinfed as used in this study.

Board of Regents -- the seven five-member boards appointed by the governor of New Mexico which have as their responsibility the management and control of particular institutions of higher education in New Mexico.

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Board of Educational Finance -- the board established in 1951 which is appointed by the governor and has as its responsibility dealing with problems of finance of the institutions of higher education in New Mexico.

Public Two-Year Institution of Higher Education -- a two-year collegiate institution conferring no higher than the associate degree, offering lower division transfer and/or terminal vocational programs of varying length.

Associate Degree -- a degree offered after two years of a program of study at the college level, usually referred to as an AA degree.

Junior College -- synonymous with public two-year institution of higher education, however, having its own Board of Regents.

Branch Community College -- synonymous with public two-year institution, however, under the control of the Board of Regents of a university.

Community College -- an institution of post-secondary education which offers programs geared to the needs of the community it serves, but does not offer AA degrees or transfer credit.

Community Junior College -- an independent fully autonomous academic institution, with physical plant, administration and faculty, offering two-year degrees (AA) and certificate programs, both college parallel/transfer credit and technical vocational, along with continuing adult education programs supported through some combination of state and local tax funds and student tuition.

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Limitations of Study

This study is limited to the resources found in the University of New Mexico library, especially the Special Collection Section, the resources located at the Albuquerque Technical Vocational Institute, the resources located at the Albuquerque Chamber of Commerce, and the resources located at the Board of Educational Finance Office in Santa Fe. An ERIC search on junior colleges in New Mexico was also conducted.

Another limitation is that the study focuses on public institutions of higher education in New Mexico. A third limitation is that it looks only at two-year institutions of higher education (junior colleges) in New Mexico. This study does not address itself to the vocational-technical area of post-secondary education in New Mexico.

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A NATIONAL PERSPECTIVE

The rapid growth of junior colleges in the United States is evidenced by the fact that they have increased from eight in the 1900-1901 school year with only 100 students (Reynolds, 1965) to over 1,100 institutions with close to 3.14 million students in the 73-74 school year (1974 Junior College Directory). This was a 9.7% increase over the 1972-73 school year.

Koos (1924) identified twenty-one purposes of the junior college and divided them into five general categories. However, since his study, six of his purposes have been questioned. Reynolds (1965) classified the purposes into four broad areas: (1) educational goals (upgrade the educational level of students), (2) organizational goals (to foster the evolution of the system of education), (3) goals related to the university (to relieve the university) and (4) goals related to the community (courses are designed to meet local needs).

Campbell outlined six types of junior colleges (1930). These included: (1) local-extension of secondary schools controlled by local school boards, (2) district junior colleges -- a district is established solely for the maintenance of a junior college, (3) branch junior colleges -- controlled by the board of a parent four-year institution of higher education, (4) state junior colleges -- controlled by an appointed board and receives finances from state appropriations, (5) church related -- controlled and operated by a religious group and (6) independent junior colleges -- independent of religious organizations or public control.

Campbell's six classifications were used to classify the types of junior college systems found in each of the fifty states of the United

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States. Table 1 was developed by studying the states junior college systems and classifying them according to Campbell's six types of junior colleges.

From the information found in Table 1 it can be stated that 9 or 18% of the states have locally controlled junior colleges; 8 or 16% of the states have branch junior colleges; 22 or 44% of the states have state junior college systems; 34 or 68% of the states have church-related junior colleges and 30 or 60% of the states have independent junior colleges. It can also be stated that 43 or 86% of the states have more than one type of junior college. Seven states have only one type of junior college. These states are Colorado (which is in the process of developing a state junior college system), Delaware, Hawaii, Maryland, Montana, Nevada, and Washington.

Alabama, Georgia, Hawaii, Kentucky, Maine, Nevada and New York have state junior college systems which are part of the state university system. Delaware has one junior college with two branches but they are not controlled by a four-year institution. New Hampshire has no junior colleges but does not have post-secondary vocational-technical schools.

Many other states have multi-campus junior colleges or branches of the same junior college; however, they are not controlled by four-year institutions.

It was also found that 49 states have at least two junior colleges and that most have more, as can be seen in Table 2. This table shows the 10 states with the largest number of junior colleges. Table 3 shows those states with the fewest number of junior colleges. It is interesting to note that the number of junior colleges is correlated to the population.

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TABLE 1

TYPES OF JUNIOR COLLEGES ACCORDING TO STATE

State	Local	District	Branch	State	Church	Indep.
Alabama				x	x	x
Alaska			x		x	
Arizona		x				x
Arkansas		x	x		x	
California		x			x	x
Colorado		x				
Connecticut				x	x	x
Delaware				x		
Florida		x			x	x
Georgia				x	x	x
Hawaii				x		
Idaho		x			x	x
Illinois		x			x	x
Indiana	x				x	
Iowa	x				x	x
Kansas		x			x	x
Kentucky				x	x	x
Louisiana			x	x		x
Maine				x		x
Maryland		x				
Mass.				x	x	x
Michigan	x				x	x
Minnesota				x	x	x
Mississippi		x			x	x
Missouri		x			x	x
Montana		x				
Nebraska	x	x			x	
Nevada				x		
New Hampshire						
New Jersey				x	x	x
New Mexico		x	x			
New York	x			x	x	x
North Carolina				x	x	
North Dakota				x	x	x
Ohio	x	x			x	
Oklahoma	x			x	x	
Oregon		x			x	
Pennsylvania	x		x		x	x
Rhode Island				x		x
South Dakota				x	x	x
South Carolina	x		x		x	
Tennessee				x	x	x
Texas		x			x	x
Utah				x		
Vermont				x		x
Virginia				x	x	x
Washington		x				
West Virginia			x		x	x
Wisconsin		x	x		x	x
Wyoming		x				

Source - Junior College Directory 1971-72 and 1974 Community And Junior College Directory.

TABLE 2

THE TEN STATES WITH THE LARGEST NUMBER OF JUNIOR COLLEGES

State	Number of Junior Colleges
California	104
North Carolina	67
Texas	64
New York	59
Illinois	56
Pennsylvania	48
Ohio	44
Massachusetts	39
Michigan	36
Florida	32

Note-The information for this table was taken from page 87 of the 1974 Directory of Community and Junior Colleges.

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TABLE 3

THE TEN STATES WITH THE SMALLEST NUMBER OF JUNIOR COLLEGES

State	Number of Junior Colleges
Rhode Island	2
Montana	3
District of Columbia	4
Idaho	4
Indiana	4
Nevada	4
North Dakota	5
South Dakota	5
Utah	5
Delaware	6

Note - The information for this table was taken from the table on page 87 of the 1974 Directory of Community and Junior Colleges.

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The American Association of Community and Junior Colleges in it's 1974 Directory lists 1,165 community and junior colleges. Having looked at the goals, types and numbers of junior colleges in the United States, we will now focus upon the development of junior colleges in the U.S.

Four periods in the development of junior colleges were outlined by Kelly and Wilbur in a 1970 study on teaching in the community college. The first was identified as the "initial two-year private college period" and covered the period between 1835 and 1900. The second was the "initial two-year public college period", from 1901 to 1920. The third period was identified as the "expanding occupational programs period", from 1921 to 1947. The last period which began in 1948 and continues through today was identified as the "comprehensive community college period" (p. 14).

These same authors defined a junior college as "a two-year collegiate institution conferring no higher than the associate degree, offering lower division transfer programs and/or terminal vocational programs of varying length (p. 159).

Public Two-Year Institutions of Higher Education in New Mexico

Even though the first junior college was established in Joliet, Illinois, in 1901 it was not until 1916 that the first junior college, the New Mexico Military Institute, was established in New Mexico. The New Mexico State legislature passed laws, in 1957 and in 1963, to establish and expand junior colleges in the state. The 1974 Directory of Community and Junior Colleges published by the American Association of Junior Colleges lists thirteen community or junior colleges in New Mexico. See Figure 4 for a complete list.

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TABLE 4

NEW MEXICO COMMUNITY AND JUNIOR COLLEGES
LISTED BY THE AMERICAN ASSOCIATION OF COMMUNITY
AND JUNIOR COLLEGES

	Institution	Location
1	Albuquerque Technical Vocational Institute	Albuquerque
	Eastern New Mexico University	
2	Clovis Campus	Clovis
3	Roswell Campus	Roswell
4	Luna Vocational Technical Institute	Las Vegas
5	New Mexico Junior College	Hobbs
6	New Mexico Military Institute	Roswell
	New Mexico State University	University Park
7	Alamogordo Campus	Alamogordo
8	Carlsbad Campus	Carlsbad
9	Dona Ana County Campus	Las Cruces
10	Grants Campus	Grants
11	San Juan College	Farmington
	University of New Mexico	
12	Gallup Campus	Gallup
13	Northern Branch	Espanola

Source--The 1974 Directory of Community And Junior Colleges, p. 48.

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Two types of junior colleges have developed in New Mexico. The New Mexico Junior College in Hobbs is the only "district" junior college in the state. However, there are nine "branch colleges" operating out of three parent institutions. Two technioal vocational institutes exist in the state but were not included in this study. The New Mexico Military Institute in Roswell offers AA degrees and is included.

These eleven public two-year institutions had a projected enrollment (head count) for 1974-75 of over 7,100 students with an FTE (Full-Time Equivalency) of over 5,000 (Analysis of Institutions Budgets 1974-75). Of the total $167,501,700 allocated in House Bill 300 (The New Mexico Appropriations Bill) in the 1974 Special Legislative Session, $15,332,500 or approximately 9% was allocated to these institutions.

With the increasing discussion of establishing more junior colleges and even a state junior college system in New Mexico the history and status of junior colleges in New Mexico takes on added significance.

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HIGHER EDUCATION IN NEW MEXICO

In reviewing the literature on the history of higher education in New Mexico few recent studies were found. Some excellent earlier studies were identified. The book by S. P. Nanniga (1942) has an excellent chapter on the history of higher education before 1942. He also traces the history of education in New Mexico from 1540 to 1942.

Nanniga states that, "there were no territorial institutions of higher education before 1889 (p. 83)." In that year the Rodey Act was passed. It established three institutions, the University of Albuquerque, the School of Mines at Socorro and the Agricultural College at Las Cruces. Representative B. S. Rodey had originally wanted only one institution but agreed to three because of pressures from the other areas in the state.

The Legislative Act of 1893 established two normal schools. The New Mexico Normal School at Las Vegas opened on October 3, 1898, the other was located at Silver City and opened the following year. The New Mexico Normal School's name was changed to the New Mexico Normal University by law in 1899 and to New Mexico Highlands University in 1941. The other normal school's name was changed in 1923 to the New Mexico State Teachers College and then to Western New Mexico University.

The 1893 legislature also made the Goss Military Institute an institution of the territory. It changed its name to the New Mexico Military Institute and it thus became the first two-year public institution in the territory.

The Spanish American Normal School was established at El Rito in 1909. The school was to train Spanish speaking teachers to teach Spanish speaking pupils of northern New Mexico English.

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The last state institution was established by the New Mexico Constitution in 1912. However, it wasn't until 1934 that Eastern New Mexico Junior College opened its doors. In 1940 its name was changed to Eastern New Mexico College and later to Eastern New Mexico University.

Bagley (1921) also did a brief historical review of the higher education institutions in New Mexico. He wrote the first study on higher education in New Mexico. The second part of a report entitled Public Education in New Mexico: A Report of the New Mexico Educational Survey Bound (1948) also deals with higher education in New Mexico. This report is also known as The Peabody Report, it gives a history of each institution of higher education in New Mexico at that time.

In 1956 Goldberg wrote a thesis on the Board of Educational Finance. In this study he reviews the history of higher education in New Mexico as well as the history of the BEF.

The BEF appointed a commission in 1962 to study statewide higher education problems in New Mexico. This commission made its report in 1965 and made suggestions for improving higher education in New Mexico.

Lavender's 1965 Ph.D. dissertation also provided insights into the coordination of higher education in New Mexico. He spells out the relationship between the Branch Junior Colleges and their parent institutions as well as their relationship to the BEF. He also spells out the relationship between the BEF and the Board of Regents of the higher education institutions in New Mexico.

The BEF made a report to the state legislature in 1971 which responded to the ten questions asked in House Memorial 19. The six four-year institutions of higher education were studied as well as the junior colleges.

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In 1974 a report on information on higher education was submitted to the BEF which dealt with higher education statistics in New Mexico.

Table 5 lists all of the public four-year institutions in New Mexico as well as the private institutions and public two-year institutions. From this table it can be stated that New Mexico has twenty-two (22) institutions of higher education. It has six public four-year institutions, five private four-year institutions and eleven public two-year institutions. New Mexico has no private or independent two-year institutions at the present time.

The Development of Public Two-Year Institutions in New Mexico

The New Mexico Military Institute was established in 1891 as the Goss Military Institute. It was originally a private military school. In 1893 it became public by an act of the territorial legislature. It became the first junior college in New Mexico in 1915 by offering junior college instruction. It was reorganized as a four-year college in 1946 in order to meet army ROTC requirements but its status was changed back to a two-year college in 1955 when the army modified its policy. It is located at Hobbs, New Mexico.

The institute is included in the state constitution and is controlled by a Board of Regents which has five members, all appointed by the governor.

The second junior college established in New Mexico was Eastern New Mexico Junior College. It was also established by the state constitution but did not offer instruction until 1934. The college became a four-year college in 1941 and its name was changed to Eastern New Mexico College. This was the last autonomous university or college to be established until the junior college acts were passed in the 1960's. Its name was changed to Eastern New Mexico University in 1960.

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TABLE 5

INSTITUTIONS OF HIGHER EDUCATION IN NEW MEXICO

Institution	Location
Public Four-Year institutions	
University of New Mexico	Albuquerque
New Mexico State University	Las Cruces
New Mexico Highlands University	Las Vegas
Western New Mexico University	Silver City
Eastern New Mexico University	Portales
New Mexico Institute of Mining and Technology	Socorro
Private Four-Year Institutions	
University of Albuquerque	Albuquerque
College of Santa Fe	Santa Fe
St. John's College	Santa Fe
College of Artesia	Artesia
College of the Southwest	Hobbs
Public Two-Year Institutions	
New Mexico Military Institute	Roswell
New Mexico Junior College	Hobbs
UNM - Gallup Branch	Gallup
UNM - Northern Branch	Espanola
NMSU - Alamogordo Branch	Alamogordo
NMSU - Carlsbad Branch	Carlsbad
NMSU - Dona Ana County Branch	Las Cruces
NMSU - Grants Branch	Grants
NMSU - San Juan Branch	Farmington
ENMU - Clovis Branch	Clovis
ENMU - Roswell Branch	Roswell

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New Mexico State University's Carlsbad Branch was established in 1950 as the Carlsbad Instructional Center by the Board of Regents of NMSU. Its name was changed to Carlsbad Community College in 1957 and to New Mexico State University - Carlsbad Branch in 1963. In 1970 its name was changed once again to New Mexico State University at Carlsbad.

New Mexico State University established its San Juan Campus in 1956 as the New Mexico State University - San Juan Branch. In 1969 its name was changed to New Mexico State University San Juan Campus. It is located in Farmington. In 1958 the Board of Regents established the New Mexico State University Alamogordo Campus in response to a request from the Alamogordo Board of Education.

In 1958 at the request of the Roswell Board of Education, Eastern New Mexico University, established the Roswell Campus. It is located four miles from Roswell at the former Walker Air Force Base.

Eastern New Mexico State University next established the Clovis Branch in 1961 and classes were begun in Clovis High School. It is located 19 miles from its main campus at Portales.

The New Mexico Junior College was established in 1965 by the district voters. It is the only district junior college in the state. It is controlled by the New Mexico Junior College Board which has five members elected by the district voters unlike the Branch Colleges which are controlled by the Board of Regents of their parent institutions. The community of Hobbs is credited with providing the leadership in developing the junior college act of 1963.

NMSU established a fourth branch college at Grants in 1968 as the New Mexico State University Grants Branch College. Its name was changed in 1970 to New Mexico State University at Grants.

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The same year the University of New Mexico established its first Branch at Gallup. It is under the control of the UNM Board of Regents and its official name is the University of New Mexico Gallup Branch.

In 1973 the latest of the NMSU branches was established in Las Cruces under the name of New Mexico State University, Dona Ana County Campus. To date NMSU has five branch campuses. Three of these, the Alamogordo, Carlsbad and San Juan Campus were established before the Branch Community College legislation of 1963. The other two were established after the legislation.

The latest two-year institution to be established was established by UNM in 1973. This Northern Branch is located in Espanola and was a result of an indepth study of the post-secondary needs in that area of the state. (See The 4 in 1 Report, 1969).

In summary five of the public two-year institutions of higher education in New Mexico were established prior to the junior college legislation and six including the only junior college district were established after the law was passed in 1963.

The map in Figure 1 shows the location of all of the twenty-two institutions in New Mexico. The eleven two-year institutions were included. It can be stated that 9 or 40% of all institutions are located in the northern half of the state and that 13 or 60% are located in the southern half of the state. It can be noted that branch colleges were not determined with geography or distance from the parent institution in mind.

The Establishment of a Junior College Bill

The information for this section is based on information contained in a number of official state documents (see Appendixes A, B, C, and D) and

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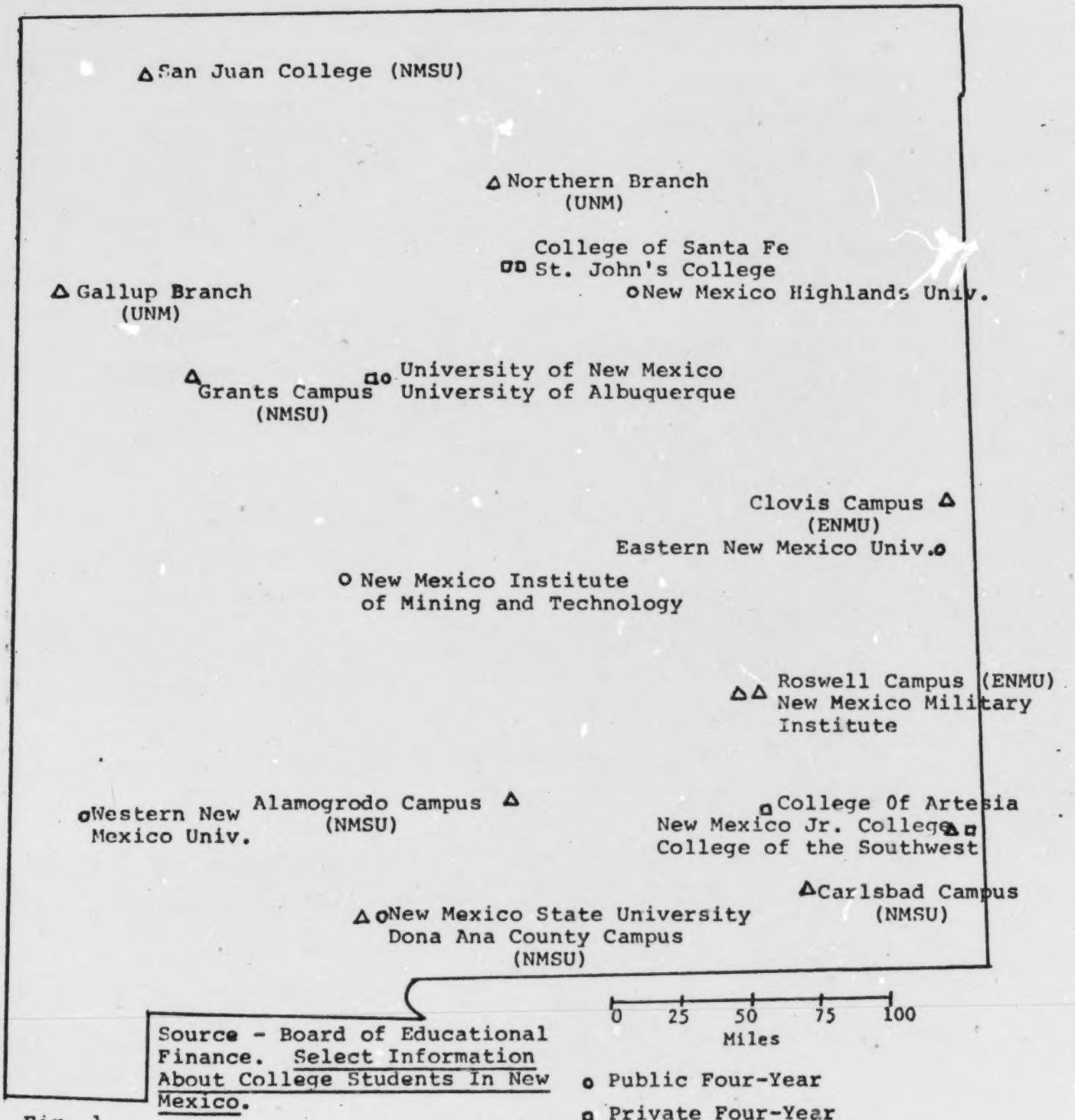
GEOGRAPHIC DISTRIBUTION OF INSTITUTIONS OF HIGHER EDUCATION IN NEW MEXICO



Source - Board of Educational Finance. Select Information About College Students In New Mexico.

Fig. 1

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from the information found in Procedures and Materials Used in Establishing the New Mexico Junior College. This study was compiled by W. G. Donley of Hobbs.

During the period 1951 to 1965 fifteen different bills dealing with Junior Colleges were introduced in the New Mexico State Legislature (see Appendix A for a complete list of bills introduced during this period). The first effort to pass a bill for the establishment of a junior college in New Mexico was made by state Senator John Morrow of Raton in the 1951 State legislature. He introduced Senate Bill No. 217. Even though this bill was killed in the Senate, he did not quit. In 1953 he introduced Senate Bill No. 47 which was killed in the House. Once again in 1955 he introduced another bill, Senate Bill No. 92, which died in a House Committee. Morrow was elected to the U. S. House of Representatives and other legislators took up the banner of junior college legislation.

In 1957 five bills were introduced, House Bill No. 115 by Representative Morgan Nelson was killed in the House Education Committee as well as House Bill No. 240 introduced by Representative Lemuel Castello. House Bill No. 325 introduced by Representative James Patton did pass both houses and was signed by the governor (see Appendix A). The other two bills, Senate Bill No. 246 and Senate Bill No. 412 were killed.

One bill was introduced in 1959, Senate Bill No. 35, which died in the Senate Education Committee. During this same session, however, Senator Smalley introduced a Senate Joint Resolution which asked that a study of the junior college question be made for the 1961 legislature. This resolution was passed and a Miss Maralyn Budke conducted a survey of 6,206 high school seniors to find out their ambitions and plans after graduation. She made her report in 1960 and concluded that 34.9% of the survey

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respondents indicated that they would attend a junior college if it were located in or near their home town.

Representative Morgan Nelson of Chaves County who had become a strong supporter of junior colleges introduced House Bill No. 55 in 1961. This bill passed both houses but was vetoed by Governor Mechem.

In 1963 Representative Albert Lebeck of McKinley County introduced House Bill No. 130 which passed both houses and was signed by Governor Campbell. In 1965 at the special session, House Bill No. 10 was introduced to correct errors in House Bill No. 130 and it also passed. And finally in 1965 House Bill No. 464 was introduced to correct objections made by bond buying agencies and it was also approved. Amendments were made to the bill in 1967 and 1968. (See Appendix B.)

The New Mexico Military Institute is the only junior college established by legislative action. The New Mexico Military Institute as stated before was created by the Legislative Act of 1893.

Structure of Higher Education in New Mexico

The Board of Regents. Each of the seven New Mexico state institutions has a Board of Regents which is responsible for the management, control, and policy of that particular institution. The constitution of New Mexico states that, "The legislature shall provide for the control and management of each of said institutions by a board of regents for each institution . . . ." The powers and duties of the Board of Regents have been set by statute. These statutes give the regents complete powers for management and control except when specifically provided otherwise.

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Each Board of Regents is composed of five members. They are nominated and appointed by the governor with the consent of the Senate. In 1949 an amendment to the Constitution set the length of terms at six years with the expiration of term staggered at two-year intervals.

Board of Educational Finance. After many attempts at establishing a statewide higher education system the 1951 Legislature created the BEF by statute. The statute states that, "There is hereby created a Board of Educational Finance whose function shall be to deal with the problems of finance of those educational institutions designated in sections 11 and 12 of article XII of the Constitution of the state of New Mexico. The board shall be concerned with the adequate financing of said institutions and with the equitable distribution of available funds among them. The board shall receive, adjust, and approve the budgets submitted by the several institutions prior to the submission of said budgets to the budget officers of the state and shall exercise such other powers as may hereafter be granted it by law."

Other legislatures have added the following additional responsibilities to the BEF; approval of new graduate programs, approval of expenditures for purchase of real property or construction of buildings or major structures, approval of out-of-state travel by personnel of the institutions, promulgate a definition of residence and allocation of the proceeds from state educational institutions bonds.

The BEF also has the state level responsibility for the approval of the establishment of branch colleges and junior colleges and the continuing concern for them once established. It also administers federal funds appropriated for the benefit of state institutions.

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There eleven members on the BEF. The governor appoints the members to staggered terms of six years. One member must come from each of the eleven judicial districts, and not more than six can be of the same political party.

In summary it can be said that the Board of Educational Finance has certain powers and duties as provided by law and the individual Boards of Regents have broad powers and duties with regard to the management and control of their respective institutions.

Statistics of the Public Two-Year Institutions of Higher Education in New Mexico

The information for this section was taken from the 1974 report of the Board of Educational Finance. The tables[1] which follow are based on fall semester of each school year. This semester is traditionally the one with the largest enrollment. The enrollments are presented in full-time equivalents and head count. One full-time equivalent (FTE) is equal to 16 semester credit hours. The head count is the actual number of students (bodies) attending classes regardless of how many hours they took. Enrollment for extension courses and continuing education are not included in these figures.

Table 6 shows that the number of public two-year institutions increased from six to ten during this same period.

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[1] The information for this section was taken from Information on Higher Education in New Mexico: A Report of the Board of Educational Finance. Santa Fe: State of New Mexico, 1974.

TABLE 6

A TEN YEAR HISTORY OF FALL TERM ENROLLMENTS
PUBLIC TWO-YEAR INSTITUTIONS IN NEW MEXICO

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Full Time Equivalent Enrollment for Academic Credit

	Almo. Branch	Carlsbad Branch	Grants Branch	San Juan Branch	Roswell Branch	Clovis Branch	Gallup Branch	Northern Branch	NMJC	NMMI
1964	148	172		72	225	65				377
1965	182	260		101	310	106				400
1966	208	260		171	292	113			478	429
1967	251	263		179	288	139			749	378
1968	320	256	52	233	433	221	57		767	355
1969	377	255	77	303	537	171	79		744	336
1970	335	237	78	307	548	178	101		761	263
1971	383	247	83	347	507	163	128		778	249
1972	386	196	114	319	434	152	170		722	317
1973	406	256	115	332	498	155	190	308	729	382

Note - Adapted from p. 65 of Information On Higher Education In New Mexico: A Report Of The Board of Educational Finance State On New Mexico, 1974.

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The BEF did not report enrollment for the eleventh institution, the Dona Ana Branch, which opened last fall because it offered only non-credit technical/vocational programs. This table does not reflect the high school enrollment of the New Mexico Military Institute. The BEF reports point out that the "enrollment at the New Mexico Junior College is inflated compared to the other colleges because of that institution's policy of granting college credit for technical/vocational courses (p. 64)." It points out that 201 of the total 729 FTE fall into this category. These courses are non-credit courses in the other institutions and are not included.

The New Mexico Junior College still has the largest enrollment (even after subtracting the 201), followed by ENMU's Roswell Branch with 498, AMSU's Alamogordo Branch with 406, New Mexico Military Institute with 382, NMSU's San Juan Branch with 332, UNM's Northern Branch with 308, NMSU's Carlsbad Branch with 256, UNM's Gallup Branch with 190, ENMU's Clovis Branch with 155 and NMSU's Grants Branch with 115.

It can be seen that NMMI's has maintained its enrollment to a little under 400 throughout the ten years. The institutions which showed the greatest increases in enrollment are: NMSU's San Juan Branch with an increase of 405% and UNM's Gallup Branch with an increase of 332%. Both of these branches are in the northwestern part of the state (see Figure 1) and have heavy enrollments of Native American students. This area of the state had <u>not</u> previously had higher education readily accessible to it. R. Trujillo (1974) suggests that this type of growth will also occur at UNM's newly opened Northern Branch as well.

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According to the information in Table 7 FTE enrollment in the two-year institution in New Mexico has increased by over 200%.

Table 8 shows the head count for the same ten-year period. The same pattern of enrollments has occurred with head count as with FTE, with New Mexico Junior College having the largest and NMSU's Grants having the smallest number. However, the New Mexico Military Institute reports the same FTE and head count. It is assumed that NMMI has only full-time students. NMSU's San Juan Branch and UNM's Gallup Branch show the same type of increase in head count as in FTE. Both of these branches show an increase of over 400% in head count enrollment. This data indicates that the Indian population in the rural areas of New Mexico desire and will participate in higher education if it is accessible.

The head count total change over the ten-year period, as seen in Table 9 shows an even greater increase than the FTE change. It can be seen that the total head count has increased by over 287%. Trujillo estimates that the UNM's Northern Branch will show an even greater increase over the next few years.

The graphs in Figure 2 show the college enrollment in New Mexico. They are divided by type of institution, public four-year, private four-year and public two-year, for four selected years. Although the number of two-year colleges has increased and the enrollment has increased at both the two-year colleges and private colleges, 82% of the college enrollment is still at the six public four-year institutions.

Having looked at higher education in New Mexico particularly the public two-year institutions and in order to round out their history, a brief review of studies pertaining to junior colleges in New Mexico will be presented.

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TABLE 7

TOTAL CHANGE OVER A TEN YEAR PERIOD
FOR TWO-YEAR INSTITUTIONS IN NEW MEXICO

Year	FTE Enrollment	% Change
1964	1,059	+ 30.3
1965	1,359	+ 28.3
1966	1,951	+ 43.6
1967	2,247	+ 15.2
1968	2,694	+ 19.9
1969	2,879	+ 6.9
1970	2,808	- 2.5
1971	2,885	+ 2.7
1972	2,810	- 2.6
1973	3,371	+ 20.0

Note - Adapted from p. 65 of Information On Higher Education In New Mexico: A Report Of The Board Of Educational Finance State On New Mexico, 1974.

TABLE 8

A TEN YEAR HISTORY OF FALL TERM ENROLLMENTS
PUBLIC TWO-YEAR INSTITUTIONS IN NEW MEXICO

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Head Count Enrollment for Academic Credit

	Alamo. Branch	Carlsbad Branch	Grants Branch	San Juan Branch	Roswell Branch	Clovis Branch	Gallup Branch	Northern Branch	NMJC	NMMI
1964	465	335		144	529	238				377
1965	492	450		239	671	387				400
1966	535	454		342	571	393			716	429
1967	617	451		321	437	463			1041	378
1968	680	416	123	404	569	673	132		1040	355
1969	779	416	174	489	753	567	227		1003	336
1970	621	387	167	463	774	547	276		1032	263
1971	741	405	174	549	713	493	422		1063	249
1972	732	354	203	567	720	466	460		997	317
1973	752	446	233	617	765	446	610	713	1052	382

Note - This table is adapted from p. 67 of Information On Higher Education In New Mexico: A Report Of The Board of Educational Finance, State of New Mexico, 1974.

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TABLE 9

TOTAL CHANGE OVER A TEN YEAR PERIOD
FOR TWO-YEAR INSTITUTIONS IN NEW MEXICO

Year	Head Count Enrollment	% Change
1964	2,088	+ 18.8
1965	2,639	+ 26.4
1966	3,440	+ 30.4
1967	3,708	+ 7.8
1968	4,392	+ 18.5
1969	4,744	+ 8.0
1970	4,530	- 4.5
1971	4,809	+ 6.2
1972	4,816	+ .2
1973	6,016	+ 24.9

Note - This table is adapted from p. 67 of Information On Higher Education In New Mexico: A Report Of The Board Of Educational Finance, State of New Mexico, 1974.

FTE ENROLLMENT BY TYPE OF INSTITUTION

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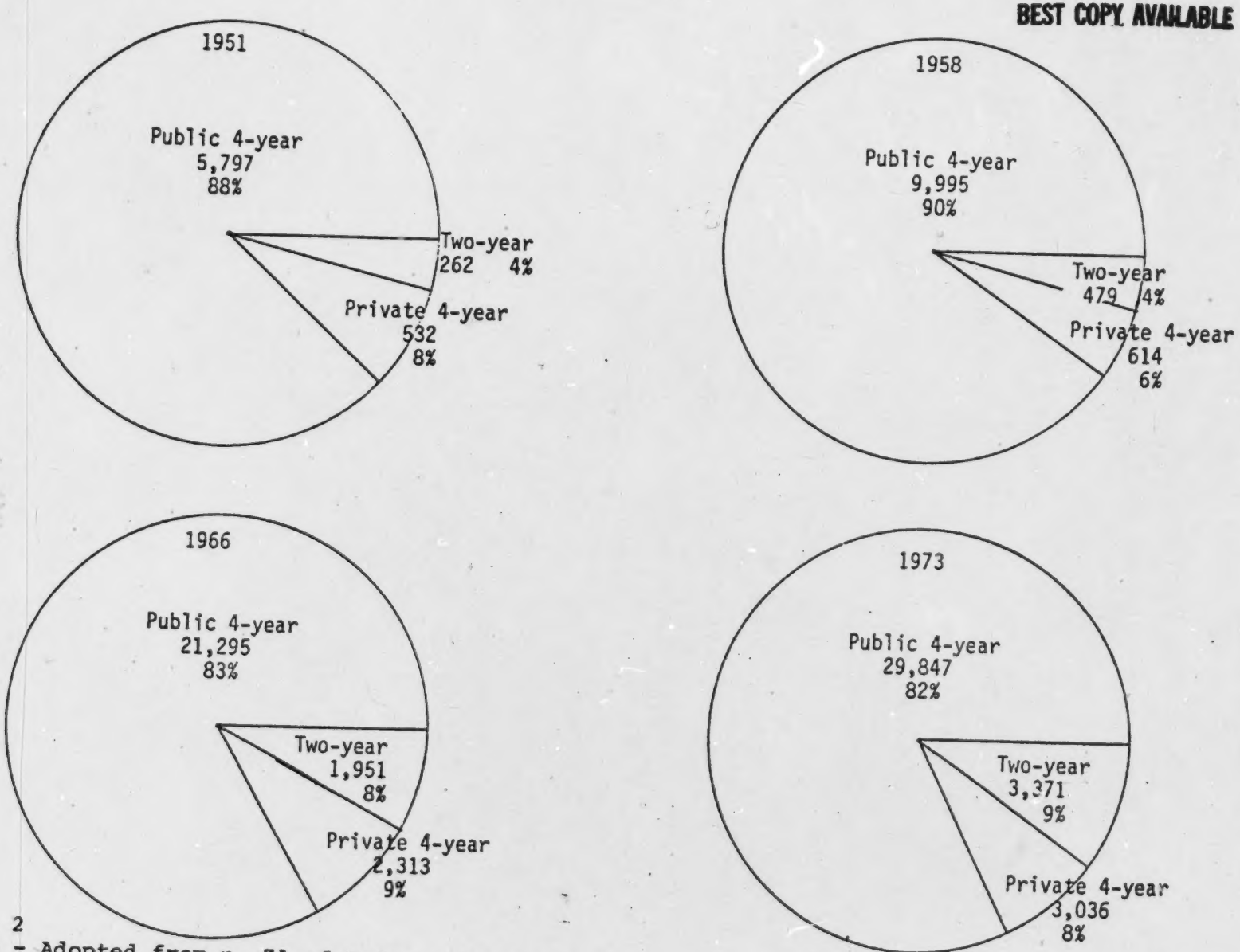

Fig. 2
Note - Adopted from p. 71 of Information On Higher Education In New Mexico.

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The Political Clout of a University with Branch Colleges

A university which has branches in other legislative districts other than the one in which the parent institution is located can logically expect support from the state legislators of those districts. This is especially true if the legislators believe that the parent institutions are providing educational services to their constituents. Thus by expanding services to other state legislative districts, universities have increased their influence in Santa Fe.

Thus New Mexico State University can expect the legislative support from legislators not only of the Las Cruces district but also those who represent Alamogordo, Carlsbad, Dona Ana County, Grants and Farmington. The University of New Mexico can expect support from the Bernalillo legislators as well as those representing Gallup and Espanola. Likewise Eastern New Mexico University can expect support from the legislators representing the Clovis and Roswell areas.

This situation could be a major problem in advocating any type of change to the present branch system of community or junior colleges in New Mexico.

On the other hand a university provides a certain amount of prestige to the communities where it has branch colleges.

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STUDIES ON JUNIOR COLLEGES IN NEW MEXICO

In the review of the literature for this study thirty-one documents were located and reviewed which dealt with junior or branch colleges in New Mexico. See An Annotated Bibliography of Studies Done on Two-Year Institutions of Higher Education in New Mexico for a complete list of these materials.

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CONCLUSIONS

Over thirty books, reports and studies which deal directly or indirectly with junior colleges in New Mexico were located. It was found that the Board of Educational Finance compiles a number of studies dealing with class size, geographic distributions of students, degree grants, budgets, as well as special reports on higher education in New Mexico. However, the data on junior colleges is not readily available and one must read through the above reports and extract the information. This information is interspersed in reports on higher education, vocational education as well as vocational technical education.

- Two types of two-year institutions of higher education exist in New Mexico. These are: the branch community college, which is governed by a parent four-year institution and the junior college which is controlled by a junior college board composed of members elected by the junior college district's voters. Nine branch colleges exist at the present time while one junior college district exists. The New Mexico Military Institute is the eleventh two-year institution of higher education in New Mexico. Three Technical Vocational Institutes, five private and six public four-year institutions of higher education exist in New Mexico.

- The Board of Educational Finance is the coordinating body for both Branch Colleges, through their parent institutions, and junior colleges as well as the public four-year institutions. A Board of Regents exists for each of the seven institutions of higher education in New Mexico.

- New Mexico does not have a coordinated state system of junior colleges.

- The General population is unaware of the status of junior colleges in New Mexico. The junior colleges in New Mexico have been religated to the status of a stepchild to the other institutions of higher education.

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- Students will attend a two-year institution or junior college if it is accessible to them.

- The enrollment in two-year institutions has increased over 200% during the last ten years.

- It is obvious that Branch Colleges provide the parent institutions with additional political clout in the state legislature from areas where they are located. In future attempts to establish junior college legislation this political reality must be considered.

- A new feasibility study should be conducted for the Albuquerque area in view of the conflicting studies done in the past. Other feasibility studies should also be done in other areas of the state. Educational facilities in Albuquerque appear to be filled to capacity.

- Vocational Technical courses offered at the two-year institutions do not generate FTE. (New Mexico Junior College is an exception.)

- No recent history of higher education in New Mexico exists.

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RECOMMENDATIONS

Four general recommendations can be made based on this study: (1) A statewide study, financed through the state legislature, be conducted to determine the feasibility of the establishment of: (a) a statewide coordinating body for junior colleges. This could take the form of a Commission on Community and Junior College as in other states and could be an arm of the Board of Educational Finance, (b) all two-year branches of higher education institutions becoming district junior colleges, (c) junior college districts for the remainder of the state so that higher education is more accessible to the population of the state, (d) vocational technical courses as FTE generating courses, as in New Mexico Junior Colleges.

(2) Appropriate legislation be drafted and introduced to implement the above recommendations.

(3) Supporters of the statewide junior college system should work directly with local school boards, communities and state legislators to point out the advantages of a state junior college system as opposed to the present uncoordinated effort which now exists.

(4) Other studies should be conducted. The following types should be included:

A study on teaching effective at the junior college level.

A follow-up study on two-year college students.

A comprehensive review of higher education in New Mexico.

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CHAPTER 143

AN ACT RELATING TO COLLEGES AND UNIVERSITIES; PROVIDING FOR THE ESTABLISHMENT OF COMMUNITY COLLEGES AS BRANCHES OF EXISTING COLLEGES OR UNIVERSITIES, AND PROVIDING FOR FUNDS AND DISSOLUTION.

HOUSE BILL NO. 325; Approved March 26, 1957

Be It Enacted by the Legislature of the State of New Mexico:

Section 1. Community college educational level for the purpose of this section shall include the first two years of college education, covering the thirteenth and fourteenth year of education.

Section 2. A community college may be established in an area upon showing of need, which shall be determined by a survey conducted either by the municipal or county board of education. Upon determination of the need for a community college the board of education will consult with the board of regents of the higher education institution selected to be the parent institution, and, if the board of education and the board of regents mutually agree to conduct a community college in the area, will transmit a proposal to establish a community college to the State Board of Education upon the approval of the proposal by the state board of education the municipal or county board of education shall notify the board of regents of the selected college or university. The municipal or county board of education and the college or university board of regents shall then meet, prepare and sign necessary agreements governing the conduct of the community college, and determine financial policies for the community college.

Section 3. Upon establishment of a community college, public school facilities are to be made available to the college at such times as will not interfere with the regular program of instruction. No public school funds shall be expended in the program, and the community college shall pay a proper amount for utilities and custodian service.

Section 4. Financing of community colleges shall be by tuition and fees, which shall be set by the board of education and the board of regents, and gifts and grants, and by such other funds as may be made available from time to time.

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Section 5. Any community college may be dissolved by either the board of education or the board of regents of the sponsoring institution of higher learning, by giving public notice six months prior to the close of the community college program.

CHAPTER 144

AN ACT RELATING TO LICENSE REQUIRED TO DRILL WATER WELLS AND AMENDING SECTION 75-11-13 NEW MEXICO STATUTES ANNOTATED, 1953 COMPILATION (BEING LAWS 1949, CHAPTER 178, SECTION 1).

HOUSE BILL NO. 353; Approved March 26, 1957

Be It Enacted by the Legislature of the State of New Mexico:

Section 1. Section 75-11-13, New Mexico Statutes Annotated, 1953 Compilation (being Laws of 1949, Chapter 178, Section 1) is amended to read:

"75-11-13. LICENSE REQUIRED TO DRILL WATER WELL FROM "UNDERGROUND SOURCE."—It shall be unlawful for any person, firm or corporation to drill or to begin the drilling of a well for water from an underground stream, channel, artesian basin, reservoir or lake (hereinafter referred to as "underground source") the boundaries of which have been determined and proclaimed by the state engineer of New Mexico to be reasonably ascertainable, without a valid, existing license for the drilling of such wells issued by the state engineer of New Mexico in accordance with the provisions of this act, and the rules and regulations promulgated by him in pursuance hereof. Such licenses shall not be required for the construction of a driven well; provided, that the casing for such well shall not exceed two and three-eighths inches outside diameter."

CHAPTER 162

AN ACT RELATING TO COMMUNITY COLLEGES; AMENDING SECTIONS 73-30-17, 73-30-19 AND 73-30-20 NEW MEXICO STATUTES ANNOTATED, 1953 COMPILATION (BEING LAWS 1957, CHAPTER 143, SECTIONS 1, 3 AND 4); REPEALING SECTIONS 73-30-18 AND 73-30-21 NEW MEXICO STATUTES ANNOTATED, 1953 COMPILATION (BEING LAWS 1957, CHAPTER 143, SECTIONS 2 AND 5); AND ENACTING NEW SECTIONS 73-30-18, 73-30-21 THROUGH 73-30-25 NEW MEXICO STATUTES ANNOTATED, 1953 COMPILATION.

SENATE BILL NO. 132; Approved March 15, 1963

Be It Enacted by the Legislature of the State of New Mexico:

Section 1. Section 73-30-17 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1957, Chapter 143, Section 1) is amended to read:

"73-30-17. BRANCH COMMUNITY COLLEGE EDUCATIONAL LEVEL DEFINED.—Branch community college educational level for the purposes of Sections 73-30-17 through 73-30-25 New Mexico Statutes Annotated, 1953 Compilation includes the first two years of college education, covering the thirteenth and fourteenth year of education."

Section 2. Section 73-30-18 New Mexico Statutes Annotated (being Laws 1957, Chapter 143, Section 2) is repealed and a new Section 73-30-18 is enacted to read:

"73-30-18. ESTABLISHMENT AUTHORIZED—BOARD — DETERMINATION OF NEED — AGREEMENTS.—

A. A branch community college may be established in a school district upon the showing of need by the local board of education; or a branch community college may be established to include more than one school district, in which instance the boards of education shall act as a single board, and if the branch community college is established, shall continue to act as a single board. As used in Sections 73-30-17 through 73-30-25 New Mexico Statutes Annotated, 1953 Compilation, "board" means the local board of education, or the combined local boards of education acting as a single board, of the school district.

B. The duties of the board are to:

(1) initiate and conduct the survey;

(2) select the parent institution;

(3) request approval of the branch community college from the board of educational finance;

(4) enter into written agreements with the board of regents of the parent institution selected;

(5) act in an advisory capacity to the board of regents in all matters relating to the conduct of the branch college;

(6) approve an annual budget for the branch community college for recommendation to the board of regents of the parents institution;

(7) certify to the county commissioners the tax levy; and

(8) conduct the election for tax levies for the branch community college.

C. Upon evidence of a demand for a branch community college the board shall cause a survey to be made. The board of educational finance shall develop criteria for the establishment of a branch community college and no branch community college shall be established without the written authorization of the board of educational finance.

D. If need is established, the board, in accordance with the board of educational finance criteria for initiating a branch community college program, shall consult with the board of regents of the higher education institution selected to be the parent institution, and, if the board and the board of regents agree to conduct a branch community college in the area, they shall transmit a proposal to establish a branch community college to the board of educational finance. The board of educational finance shall evaluate the need and shall notify the board and the board of regents of approval or disapproval of the proposal.

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E. If the proposal is approved, the board and the board of regents shall then enter into a written agreement which shall include provisions for:

(1) the higher education institution to have full authority and responsibility in relation to all academic matters;

(2) the higher education institution to honor all credits earned by students as though they were earned on the parent campus;

(3) the course of study and program offered;

(4) the cooperative use of physical facilities and teaching staff;

(5) provided that applications of local, qualified people shall be considered before employing teachers of the local school system; and

(6) the detailed agreement of financing and financial control of the branch community college.

F. The agreement shall be binding upon both the board and the board of regents; however, it may be terminated by either board by mutual consent, or it may be terminated by either board upon six months notice."

Section 3. Section 73-30-19 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1957, Chapter 143, Section 3) is amended to read:

"73-30-19. AVAILABILITY OF SCHOOL FACILITIES—USE OF OTHER FACILITIES.—Upon establishment of a branch community college, public school facilities are to be made available to the college if needed, and in such manner as will not interfere with the regular program of instruction. No public school funds shall be expended in the program, and the branch community college shall pay a proper amount for utilities and custodian service. The board may arrange for the use of available facilities other than public school facilities if approved by the board of regents."

Section 4. Section 73-30-20 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1957, Chapter 143, Section 4) is amended to read:

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"73-30-20. FINANCING OF BRANCH COMMUNITY COLLEGES.—Financing of branch community colleges shall be by tuition and fees, which shall be set by the board of regents, and by gifts and grants, and by other funds as may be made available, except as otherwise provided in Sections 73-30-17 through 73-30-25 New Mexico Statutes Annotated, 1953 Compilation."

Section 5. Section 73-30-21 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1957, Chapter 143, Section 5) is repealed and a new Section 73-30-21 is enacted to read:

"73-30-21. TAX LEVIES AUTHORIZED.—

A. The board may levy and collect a tax annually against the property in the school district or districts comprising the branch community college district, for the purpose of operating, maintaining and providing facilities for the branch community college. The annual amount levied shall not be in excess of one hundred dollars ($100) for a full time equivalent student.

B. For the first year of operation the board shall estimate the full time equivalent student population, thereafter the previous year's full time equivalent student population shall be used for taxing purposes.

C. In the event the amount necessary to be raised for such purposes exceeds in any year the constitutional limit of twenty mills for all other purposes in the district, or districts, the question of levying additional taxes, over and above the limitation for the support of the branch community college shall be submitted to the electors and voted upon as a separate question at the next subsequent general election. The election upon the question shall be called, handled, conducted and canvassed in substantially the same manner as is provided by law."

Section 6. A new Section 73-30-22 New Mexico Statutes Annotated, 1953 Compilation is enacted to read:

"73-30-22. ELECTION ON SPECIAL LEVY.—If the electors vote in favor of the special levy, it shall become effective in the following taxable year and each year thereafter unless the branch community college district is dis-

Section 7. A new Section 73-30-23 New Mexico Statutes Annotated, 1953 Compilation is enacted to read:

"73-30-23. STATE SUPPORT.—The board of educational finance shall approve an appropriation request for the branch community college. The request shall be included in the budget request of the parent institution and shall be for the purpose of operating, maintaining and providing facilities for the branch community college. An amount not to exceed three hundred dollars ($300) for each full time equivalent student may be budgeted for each branch community college. For the first year of operation, the board of regents shall estimate the full time equivalent student population, thereafter the previous year's full time equivalent student population shall be used."

Section 8. A new Section 73-30-24 New Mexico Statutes Annotated, 1953 Compilation is enacted to read:

"73-30-24. APPLICABILITY OF OTHER LAWS.—Any law concerning public schools and any law concerning the higher education institution shall, when applicable, govern the operation and conduct of the branch community college."

Section 9. A new Section 73-30-25 New Mexico Statutes Annotated, 1953 Compilation is enacted to read:

"73-30-25. DESIGNATION OF BRANCH COMMUNITY COLLEGE.—Any community college shall be designated as a branch of the respective higher education institution."

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CHAPTER 163

AN ACT RELATING TO RESPONSIBILITY OF OWNER OR OPERATOR OF MOTOR VEHICLES; PROVIDING FOR PROOF OF FINANCIAL RESPONSIBILITY AND DEPOSIT OF SECURITY; AND AMENDING SECTIONS 64-24-45, 64-24-50, 64-24-53, 64-24-55 THROUGH 64-24-57 AND 64-24-100 NEW MEXICO STATUTES ANNOTATED, 1953 COMPILATION (BEING LAWS 1955, CHAPTER 182, SECTIONS 201, 206, 209, 211 THROUGH 213, AND 402).

SENATE BILL NO. 137; Approved March 16, 1963

Be It Enacted by the Legislature of the State of New Mexico:

Section 1. Section 64-24-45 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1955, Chapter 182, Section 201) is amended to read:

"64-24-45. APPLICATION OF ARTICLE II.—The provisions of this act, requiring deposit of security and filing of proof of financial responsibility and suspensions for failure to deposit security, or file proof of financial responsibility, subject to certain exemptions, shall apply to the driver and owner of any vehicle, of a type subject to registration under the motor vehicle laws of this state, which is in any manner involved in an accident within this state, which accident has resulted in bodily injury to, or death of, any person, or damage to the property of any one person in excess of one hundred dollars ($100)."

Section 2. Section 64-24-50 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1955, Chapter 182, Section 206) is amended to read:

"64-24-50. FAILURE TO DEPOSIT SECURITY AND FILE PROOF OF FINANCIAL RESPONSIBILITY — SUSPENSIONS.—In the event that any person required to deposit security under this act fails to deposit such security within ten days after the division has sent the notice as hereinbefore provided, and file proof of financial responsibility the division shall thereupon suspend:

A. the license of each driver in any manner involved in the accident;

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JUNIOR COLLEGE BILLS INTRODUCED

20th Legislature (1951):

Senate Bill No. 217--Sen. John Morrow--Died in the Senate

21st Legislature (1953):

Senate Bill No. 47--Sen. John Morrow--House Education and Public Institutions Committee Substitute for Senate Bill No. 47--Killed in the House

22nd Legislature (1955):

Senate Bill No. 92--Sen. John Morrow--Died in the House Taxation Committee

23rd Legislature (1957):

House Bill No. 115--Rep. Morgan Nelson--House Education Committee do not pass adopted

House Bill No. 240--Rep. Lemuel Costello--House Education Committee do not pass adopted

House Bill No. 325--Rep. James Patton--Passed both houses and signed by the governor (Laws 1957, Chapter 143, Sections 1 to 5)

Senate Bill No. 264--Sen. Earl Hartley--Senate Education Committee do not pass adopted

Senate Bill No. 412--Sen. Jesse Richardson--Tabled Indefinitely

24th Legislature (1959):

Senate Bill No. 35--Sen. Earl Hartley--Senate Committee do not pass adopted

Senate Joint Resolution No. 13--Sen. I. M. Smalley--Passed both houses--Established an interim committee to study junior college question

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25th Legislature (1961):

House Bill No. 55--Rep. Morgan Nelson--Passed both houses but vetoed by the governor

26th Legislature (1963):

House Bill No. 130--Rep. Albert Lebeck--Passed both houses and signed by governor (Laws 1963, Chapter 17, Sections 1 to 18)

Senate Bill No. 132--Sen. James Patton--Passed both houses and signed by the governor (Laws 1963, Chapter 162, Sections 1 to 9)

27th Legislature (1965):

House Bill No. 464--Rep. Finis Heidel--House Judiciary Committee Substitute for House Bill No. 464--Passed both houses and signed by the governor (Laws 1965, Chapter 277, Sections 1 to 3)

26th Legislature (1964 Special Session):

House Bill No. 10--Rep. Austin Roberts--Senate Education Committee Substitute For House Bill No. 10--Passed both houses and signed by the governor (Laws 1964 (S.S.), Chapter 16, Sections 1 to 16)

Appendix D

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bef June, 1972

ARTICLE 33

JUNIOR COLLEGES

Section 73-33-1. Short title.
73-33-2. Definitions.
73-33-3. Purpose.
73-33-4. Junior college districts—— Formation.
73-33-4.1. State board to conduct feasibility survey.
73-33-5. Notice and conduct of junior college district referendum election.
73-33-6. Form of ballot for referendum election.
73-33-7. Junior college board.
73-33-8. Junior college board meetings.
73-33-9. Board duties.
73-33-10. Standards and accrediting of junior colleges.
73-33-11. Titles awarded.
73-33-12. Per diem —— Mileage.
73-33-13. Junior college district bonds —— Interest —— Form —— Payment
73-33-13.1. Payment of bonds —— Bond provisions
73-33-13.2. Validation of junior college bonds.
73-33-14. Special tax levy for junior college operation.
73-33-14.1. Procedure for elections.
73-33-14.2. Enrollment defined —— Payments —— Appropriations
73-33-15. Sharing of facilities.
73-33-16. Addition of school districts to existing junior college districts.
73-33-17. Transportation system.
73-33-18. Dissolution of junior college districts.
73-33-19. Refunding bonds of junior college districts.
73-33-20. Liberal construction.

73-33-1. Short title. —— This act (73-33-1 to 73-33-20) shall be known as the "Junior College Act."

History: Laws 1963, ch. 17, § 1.

Title of Act.

An act relating to junior colleges; providing for the creation, financing, supervision and dissolution of junior college districts; and prescribing the powers and functions of junior colleges. —— Laws 1963, ch. 17.

Comparable Provisions.

Arizona Rev. Stat. Ann., §§ 15-601 to 15-633, 15-651 to 15-696.10.

California Educ. Code §§ 2551 to 2791, 23600 to 25350.

Colorado Rev. Stat. Ann., §§ 123-23-1 to 123-23-54.

Oklahoma Stat. Ann., Tit. 70, §§ 2201 to 2212, 3701 to 3706, 4201 to 4204.

Tex. Rev. Civ. Stat., Arts. 2815h to 2815s-1.

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73-33-2. Definitions.—As used in the Junior College Act (73-33-1 to 73-33-20):

A. "junior college" means a public educational institution which shall provide not to exceed two (2) years of training in the arts, sciences and humanities beyond the twelfth grade of the public high school curriculum; or in lieu of such training or in addition thereto, not to exceed two (2) years of a vocational and technical curriculum and appropriate courses of study for persons who may or may not have completed the twelfth grade of public high school;

B. "junior college district" means a district wherein a junior college is located or proposed to be created, and such district shall be composed of the territory of one (1) or more school districts of the state of New Mexico. For the purposes relating junior college districts to existing law, junior college districts and the junior college thereof:

(1) shall not be considered a part of the uniform system of free public schools pursuant to Article 12, section 1 and Article 21, section 4 of the New Mexico Constitution;

(2) shall not benefit from the permanent school fund and from the current school fund under Article 12, sections 2 and 4 of the New Mexico Constitution;

(3) shall not be subject to the control, management and direction of the state board of education under Article 12, section 6 of the New Mexico Constitution;

(4) shall not be considered a school district for the purposes of a uniform system of textbooks for the public schools as prescribed in Article 20, section 17 of the New Mexico Constitution; and

(5) shall not be considered school districts in so far as the restrictions of Article 9, section 11 of the New Mexico Constitution is concerned;

C. "secretary" means the executive secretary of the board of educational finance;

D. "full-time student equivalent" means the equivalent number of students taking sixteen (16) credit hours per semester;

E. "state board" means the state board of educational finance; and who is an owner of real estate within the junior college district.

F. "qualified elector" means a person otherwise eligible to vote and who is an owner of real estate within the junior college district.

History: Laws 1963, ch. 17, § 2; 1964 (1st S.S.), ch. 16, § 1.

Title of Act.

An act relating to junior colleges; clarifying the method and procedure for the creation and financing of junior college districts; amending sections 73-33-2, 73-33-7, 73-33-16, 73-33-17 and 73-33-18 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1963, chapter 17, sections 2, 7, 16, 17 and 18); repealing sections 73-33-4 through 73-33-6, 73-33-13 and 73-33-14 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1963, chapter 17, sections 4 through 6, 13 and 14); and enacting new sections 73-33-4, 73-33-4.1, 73-33-5, 73-33-6, 73-33-13, 73-33-13.1, 73-33-14, 73-33-14.1 and 73-33-19 New Mexico Statutes Annotated, 1953 Compilation. ——Laws 1964 (1st S. S.), ch. 16.

Amendment.

The 1964 amendment designated former subsections B, C and D as subsections C, D and E and added present subsections B and F.

Constitutionality.

The provisions of subsection F of this section, subsection B of 73-33-4 and subsection A of 73-33-5 that a qualified elector is required to be an owner of real estate within the junior college district, do not violate Const., art. VII, § 1 which applies only to the election of public officers. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 196, 197.

Construction.

Under subsection B of this section it appears to be plainly manifest that the

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legislature did not intend junior college districts to come within the general school system. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 197.

A junior college district is not a school district within the meaning of Const., art. IX, § 11. Daniels v. Watson 75 N. M. 661, 410 P. 2d 193, 197.

73-33-3. Purpose.—The purpose of the Junior College Act (73-33-1 to 73-33-20) is to provide for the creation of local junior colleges and to extend the privilege of a basic vocational, technological or higher education to all persons who are qualified to pursue the courses of study offered. Provided further, however, that it is the intent of this legislation not to call upon future legislatures for state financial help.

History: Laws 1963, ch. 17, § 3.

73-33-4. Junior college district—Formation.—A. Petitions for the organization of a junior college district shall designate the name of the proposed junior college and with particularity the proposed territorial area to be included within the district. The proposed district shall comprise and be concurrent with the territorial areas of one (1) or more existing public school districts in one (1) or more counties, other than that area comprising another junior college district. Provided, however, that the territorial area encompassed by any proposed junior college district shall in all cases be continguous.

B. The petition calling for the organization of a junior college district shall be signed by qualified electors, residents of the area of each school district involved, in a number equal or in excess of ten per cent (10%) of the votes cast for governor in the last preceding general election in each school district within the area of the junior college district. For the purpose of determining the vote cast in such district for governor in the last preceding general election, any portion of a voting division within any affected school district shall be construed to be wholly within such proposed junior college district.

History: C. 1953, § 73-33-4 enacted by Laws 1964 (1st S. S.), ch. 16, § 2.

Compiler's Notes.

Laws 1964 (1st S. S.), ch. 16, § 2 repealed old section 73-33-4 (Laws 1963, ch. 17, § 4) and enacted a new section 73-33-4.

Constitutionality.

The authorization to form a junior college district by a petition method is neither an unlawful delegation of legislative power in violation of Const., art. III, § 1, nor a violation of the separation of powers under Const., art. IV, § 1. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 197.

The provisions of subsection B of this section that only qualified electors may petition for organization of junior college district and subsection F of 73-33-2 requiring qualified electors to be owners of real estate within the junior college district do not violate Const., art. VII, § 1 which applies only to the election of public officers. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 196, 197.

"73-33-4.1. STATE BOARD TO CONDUCT FEASIBILITY SURVEY.—The petition calling for the formation and organization of the proposed junior college district shall be filed with the state board, which shall immediately cause a survey to be made of the proposed junior college district to determine the need for the proposed junior college and the prospects for its adequate support. The state board shall approve the petition and call an election for the establishment of the proposed junior college district if, on the basis of the survey, it finds:

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A. the district boundaries, are suitable geographically according to criteria which it shall establish;

B. the existence of adequate school population and other factors indicate the proposed junior college will serve an enrollment of at least two hundred and fifty full-time student equivalent;

C. the financial position of the proposed junior college district is adequate to provide the necessary supporting funds for current operations, and the necessary capital outlay for physical plant and equipment; and

D. a comprehensive plan has been formulated showing:

(1) the projected enrollment for the next ten years;

(2) a general plan for buildings for the immediate proposed construction and for future expansion for the next ten years;

(3) a plan for the practical and efficient use of the buildings by the local public school unit and suitable arrangements for financial compensation for all public school districts within the junior college district in the event the junior college is dissolved;

(4) a transportation plan that sets forth a proposed method of transportation from all parts of the district; and

(5) a proposed budget for the first two years of operation."

History: C. 1953, § 73-33-4.1 enacted by Laws 1964 (1st S. S.), ch. 16, § 3.

73-33-5. Notice and conduct of junior college district referendum election.—A. Upon formal written approval by the state board of the petition for the establishment of a junior college district, the state board shall set a date for a referendum election upon the issue of whether such proposed junior college district shall be organized. Only qualified electors of the district shall be eligible to vote at such elections.

B. The election upon the issue of whether or not the proposed junior college district will be organized shall be conducted and canvassed by all of the existing local school boards within the proposed junior college district, acting jointly and in the same manner as elections for municipal school board members are carried out, unless otherwise specifically provided in the Junior College Act (73-33-1 to 73-33-20).

C. Election officials shall count the votes cast and as soon as all the ballots have been counted, they shall make out a certificate containing their signatures certifying the total number of votes cast and the number cast for the organization of the junior college district and the number cast against such proposal within the area of each school district in the junior college district.

D. The certification of the total number of votes for or against such proposed junior college district together with all ballots shall be sent, under seal, immediately by the local election officials to the secretary. As soon as all the returns are received the secretary shall proceed to open them and determine the result of the election.

E. In the event a majority of the qualified electors voting on the issue in the area of each school district within the boundaries of the junior college district shall not approve the creation of such junior college district, the proposal shall fail and no election upon the creation of a district encompassing the area of a school district wherein the voters did not approve such creation shall be held within two (2) years of such date.

F. A junior college district shall be declared created by the state board when a majority of the qualified electors voting on the issue in the area of each school district within the boundaries of the junior college district are certified by the state board to have voted in favor of

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establishing such junior college district and the number of votes cast in favor of the creation of the junior college district in the area of each school district within the junior college district is at least as many as fifteen per cent (15%) of the number of votes cast for governor in the last general election in the voting divisions wholly or partially within the area of each school district within the junior college district.

History: C. 1953, § 73-33-5 enacted by Laws 1964 (1st S. S.), ch. 16, § 4; Laws 1965, ch. 277, § 1.

Compiler's Notes.

Laws 1964, (1st S. S.), ch. 16, § 4 repealed old section 73-33-5 (Laws 1963, ch. 17, § 5) and enacted a new section 73-33-5.

Title of Act.

An act relating to junior colleges and amending sections 73-33-5, 73-33-7 and 73-33-14 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1964 (S. S.-1),chapter 16, section 4, Laws 1963, chapter 17, section 7, and Laws 1964 (S. S.-1), chapter 16, section 9, as amended).—Laws 1965, ch. 277.

Amendment

The 1965 amendment deleted a former subsection C which provided that the counties pay the cost of conducting an election on the question of the formation of a junior college district and redesignated former subsections D through G as present subsections C through F.

Constitutionality.

The provisions of subsection A of this section that only qualified electors shall be eligible to vote at junior college district referendum and subsection F of 73-33-2 requiring qualified electors to be owners of real estate within the junior college district do not violate Const., art. VII, § 1 which applies only to the election of public officers. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 196, 197.

73-33-6. Form of ballot for referendum election.—The form of the ballots for the creation of a junior college district shall be printed and appear in substantially the following manner:

BALLOT

On the question of the formation of_____
Junior College District.

(Place "X" in one of the boxes below)

For the creation of the Junior College District----------
Against the creation of the Junior College District----------

History: C. 1953, § 73-33-6 enacted by Laws 1964 (1st S. S.), ch. 16, § 5.

Compiler's Notes.

Laws 1964 (1st S. S.), ch. 16, § 5 repealed old section 73-33-6 (Laws 1963, ch. 17, § 6) and enacted a new section 73-33-6.

73-33-7. Junior college board.—A. If it shall appear from the records in the secretary's office that the required majority of votes were cast in favor of the organization of the junior college district, then the secretary shall declare the organization of the "_____Junior College District." The secretary shall notify, by registered mail, all boards of education within the junior college district of the results of the election, and shall call a meeting of the members of the boards of education, which shall be held at a time and site, within the junior college district, selected by the secretary not later than sixty (60) days after the election. The secretary or his appointed delegate shall act as

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chairman pro tempore of the meeting, and a majority of the members of the boards of education so notified shall constitute a quorum.

B. A majority of all board of education members present shall then proceed to elect five (5) persons as members of the "_____ Junior College Board." The persons elected shall be assigned position numbers one (1) through five (5). Board members shall be over twenty-one (21) years of age, qualified electors and residents of the junior college district. The members of the board shall continue to serve until the next regular junior college election, to be held on the first Tuesday of March of each odd-numbered year, at which time five (5) board members shall be elected by the registered voters of the junior college district. The candidates shall file for and be elected to a particular position number. The candidate receiving the highest number of votes for a particular position shall be elected. At the first junior college board meeting after the election, the five (5) members shall draw lots for the following terms: one (1) for a term of two (2) years, two (2) for a term of four (4) years and two (2) for a term of six (6) years. Thereafter, board members shall be elected for a term of six (6) years from April 1 succeeding their election. All vacancies caused in any other manner than by the expiration of the term of office shall be filled by appointment by the remaining members.

C. Immediately after the election of the five (5) members by the assembled board of education members, the "_____Junior College Board" shall select from its members a chairman and secretary who shall serve in these offices until the next regular junior college board election. After each "_____Junior College Board" election, the members shall proceed to reorganize.

History: Laws 1963, ch. 17, § 7; 1964 (1st S. S.), ch. 16, § 6; 1965, ch. 277, § 2.

Amendments.

The 1964 amendment, in subsection A, substituted "required majority of votes were cast" for "majority of votes cast were" and deleted "proposed" preceding "junior college district, then" in the first sentence, substituted "junior college district" for "community district" following "boards of education within the" in the second sentence, and added "and a majority * * * constitute a quorum" at the end of the third sentence; in subsection B, substituted "A majority of all board of education members present" for "The assembled school directors" at the beginning, added the present second, fifth and sixth sentences, substituted the present third and fourth sentences for former sentences which read: "Board members shall be over twenty-one years of age with not less than one residing in each school district, except when there are more than five districts represented, then no school district shall have more than one member residing in that district. The members of the board shall continue to serve until the next regular school election at which time five board members shall be elected"; in subsection C, substituted "board of education members" for "school directors" following "assembled" in the first sentence; and made numerous changes in punctuation throughout.

The 1965 amendment, in subsection B, deleted "with not less than one residing in the area of each school district, except when there are more than five district areas represented, then no school district area shall have more than one member residing in that district" at the end of the third sentence, substituted "first Tuesday of March" for "second Tuesday of February" in the fourth sentence, substituted "registered voters" for "electors" near the end of the fourth sentence, and substituted "April 1" for "March 1" near the end of the eighth

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sentence; and in subsection C, substituted "junior college board election" for "school election" at the end of the first sentence.

Qualifications of Board Members.

Junior college board members are not public officers within the meaning of Const., art. VII, § § 1, 2 so as to restrict legislature in fixing qualifications of such board members. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 196.

Qualifications of Board Members—Residence.

The residence requirement for junior college board members does not violate Const., art. V, § 13 or art. VII, § § 1, 2. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 196.

73-33-8. Junior college board meetings.—Regular meetings of the junior college board shall be held on the first Saturday of March, June, September and December of each year. Special meetings may be held upon call of the chairman or a majority of the board. The secretary of the board shall notify members of the time and place of each meeting and all notices shall be mailed to each board member at least ten (10) days prior to the date of the meeting. Upon agreement of all the members of the board, however, the period of notice of the meeting may be shortened or waived.

History: Laws 1963, ch. 17, § 8.

73-33-9. Board duties.—A. It shall be the duty of the junior college board to determine financial and educational policies of the college. The board shall provide for the management of the junior college and execution of these policies by selecting a competent president for the college, and upon his recommendation shall employ other administrative personnel, instructional staff, or other personnel, as may be needed, for the operation, maintenance, and administration of the college.

B. The college board shall have the power to fix tuition and fee rates for resident and nonresident students of the district, to accept gifts, to accept federal aid, to purchase, hold, sell, and rent property and equipment, and to promote the general welfare of the institution for the best interest of educational service to the people of the junior college district.

History: Laws 1963, ch. 17, § 9.

Opinions of Attorney General.

1965-66, No. 65-195.

73-33-10. Standards and accrediting of junior colleges.— A. The state board shall, in conjunction with the junior college board, prescribe the course of study for the junior colleges established pursuant to the Junior College Act of 1963 (73-33-1 to 73-33-20), and shall define official standards of excellence in all matters relating to the administration, course of study, and quality of instruction, except that the prescribed standards may not be less in quality or quantity than those prescribed for other state institutions of higher learning by the regional accrediting agency which accredits other colleges and universities of the state.

B. The junior college board may elect to affiliate with the board of regents of a higher educational institution. Upon mutual agreement by the board of regents and junior college board, the board of regents shall exercise all powers given the state board under this section 10 and the president of the higher educational institution shall exercise the powers of the secretary under this section 10 for the term of the agreement. No agreement shall be for less than 5 years and shall be noncancelable except by mutual consent.

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C. The secretary shall annually inspect, or investigate through the requirement of reports prescribed by him, each junior college created pursuant to the Junior College Act of 1963. The inspection or investigation by report shall be conducted upon the facilities and program of each junior college, to determine the extent of compliance with the rules and regulations promulgated by the state board. A report of each inspection or final investigation by report shall be made to the state board.

D. In the event of any serious deviation from established practices and procedures, or any defects that impair the quality of the instructional program in any junior college created pursuant to the provisions of the Junior College Act of 1963, the state board will first call these to the attention of the president of the college and the board of the college.

E. In the case of repeated failure to meet the specified standards, the state board may take action discontinuing the approval of any junior college so delinquent. Upon a showing that the unsatisfactory conditions have been remedied, the state board may reinstate its approval of a disapproved junior college.

History: Laws 1963, ch. 17, (, 10.

73-33-11. Titles awarded.—The board of any junior college may award the appropriate degree upon the completion of a curriculum organized for the purpose and approved by the state board. The associate title may be awarded only to students as recommended by the faculty and chief academic administrative officer of the college as having completed satisfactorily the prescribed course of study.

History: Laws 1963, ch. 17, (, 11.

73-33-12. Per diem—Mileage.—Members of the junior college board shall, for attendance at meetings of the board, receive traveling expenses to and from meetings at the rate set by law for state employees, for each mile traveled by the shortest usually traveled route from their homes to the place of the meeting.

History: Laws 1963, ch. 17, (, 12.

Cross-References.
Per diem and mileage of state officers, 5-10-1 et seq.

73-33-13. Junior college district bonds—Interest—Form—Payment. —A. Any junior college board may borrow money for the purpose of erecting and furnishing, construction, purchasing, remodeling and equipping buildings and utility facilties or purchasing grounds, exclusive of dormitories and stadiums. To carry out the purposes of the Junior College Act (73-33-1 to 73-33-20), the board may issue negotiable coupon general obligation bonds of the district, if approved by the state board and then approved at an election by a majority of the qualified electors voting on the issue; Provided, however, no bonds shall be issued which shall create a total bonded indebtedness in the district in excess of three per cent (3%) of the assessed valuation of the taxable property within the junior college district as shown in the preceding general assessment, which said debt limitation is to be in excess of other existing debt limitations. Bonds shall be sold at a price which does not result in an actual net interest cost to maturity, computed on the basis of

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standards of bond values, in excess of six per cent (6%) per year. The bonds shall be sold and may be in such denominations as the board determines, and the bonds and the attached coupons shall be payable to the bearer but may also be made registrable as to principal, or registrable as to principal and interest.

B. The bonds shall be due and payable serially, either annually or semiannually commencing not later than three (3) years from their date. Such bonds shall be issued for a term of not less than five (5) nor more than twenty (20) years. The form and terms of the bonds, including provisions for their payment and redemption, shall be as determined by the board. If the board so determines, the bonds may be redeemable prior to maturity upon payment of a premium, not exceeding three per cent (3%) of the principal thereof. The bonds shall be executed in the name of, and on behalf of, the district and signed by the chairman of the board, with the seal of the junior college district affixed thereto, and attested by the secretary of the board. Such bonds may be executed and sealed in accordance with the provisions of the Uniform Facsimile Signature of Public Officials Act (5-9-1 to 5-9-6). Interest coupons shall bear the original or facsimile signature of the chairman of the board.

C. To provide for the payment of the interest and principal of the bonds issued and sold pursuant to the provisions of the Junior College Act, upon approval of such bonds at an election by a majority of the qualified electors in such junior college district who voted on the issue, the county commissioners shall annually make and levy, during each year in which any of said bonds are outstanding, an ad valorem tax on all taxable property in the district in an amount sufficient to produce a sum equal to one (1) year's interest on all bonds then outstanding, together with an amount sufficient to pay the principal of all bonds as they mature. This levy shall not exceed five (5) mills, Provided, however, that this five-mill (5) limitation may be exceeded in any year in which the valuation of the property within the junior college district declines to a level lower than the valuation of such property in the year in which the bonds were issued. The taxes hereby authorized shall be levied, assessed and collected at the times and in the manner that ad valorem taxes for school districts are assessed, levied and collected and it shall be the duty of all tax officicals and authorities to cause such taxes to be levied, assessed and collected.

D. The proceeds obtained from the issuance of such bonds shall not be diverted or expended for any purposes other than those provided herein; Provided that no building shall be built without prior approval of detailed plans by the state board, and further Provided that the expenses incurred in the preparation and sale of the bonds may be paid out of the proceeds from the sale of said bonds.

E. Prior to the issuance and sale of such bonds, the attorney general shall approve all such bond transcripts and certify his approval or rejection thereof in the same manner as is required by law for the approval of school bonds. Unless otherwise specifically provided, the provisions of the Junior College Act for the issuance of bonds shall be deemed exclusive of the provisions of all other laws.

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History: C.1953, (§) 73-33-13 enacted by Laws 1964 (1st S.S.), ch. 16, (§) 7; Laws 1966, ch. 3, (§) 1.

Compiler's Notes.

Laws 1964 (1st S. S.), ch. 16, (§) 7 repealed old section 73-33-13 (Laws 1963, ch. 17, (§) 13) and enacted a new section 73-33-13.

Title of Act.

An act relating to junior colleges; providing for bonds and the validation thereof; amending sections 73-33-13 and 73-33-13.1 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1964 (1st S. S.), chapter 16, sections 7 and 8); and declaring an emergency.—Laws 1966, ch. 3.

Amendment.

The 1966 amendment substituted "The bonds shall be due and payable serially, either annually or semiannually" for "The bonds shall be payable semiannually and shall be due and payable serially, either annually or semiannually" before "commencing" at the beginning of subsection B, and made minor changes in phraseology and punctuation.

Constitutionality.

The Junior College Act (73-33-1 to 73-33-20) was not void for indefiniteness as to retirement of bonds and payment of interest because subsection C of this section provided for a maximum annual tax levy of not more than five mills while 73-33-13.1, prior to 1966 amendment, provided for levy of taxes without limitation since under this section the five-mill limitation could be exceeded in any year that the property valuation in the district declined to a lower level than in the year bonds were issued. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 199 (dissenting opinion 75 N. M. 661, 410 P. 2d 193, 199).

The provision of subsection E of this section authorizing the attorney general to disapprove junior college district bonds does not violate Const., art. IV, (§) 18 as legislation by reference. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 198.

Construction.

Under subsection B, prior to 1966 amendment, the legislative intent was to provide that junior college district bonds should be payable semiannually. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 198.

73-33-13.1. Payment of bonds—Bond provisions.—A. The principal of and interest on general obligation bonds herein authorized to be issued, and any prior redemption premiums, shall be payable from the proceeds of general property taxes levied without limitation as to rate or amount, except for the limitation contained in section 73-33-13C New Mexico Statutes Annotated, 1953 Compilation, and, except to the extent other revenues are made available therefor. All bonds shall be the general obligations of the junior college district, and the full faith and credit of the junior college district shall be pledged for the payments thereof.

B. It may be provided in any proceedings authorizing any bonds hereunder that such bond shall recite that it is issued under authority of the Junior College Act (73-33-1 to 73-33-20). Such recital shall conclusively impart full compliance with all of the provisions of the Junior College Act, and all bonds issued containing such recital shall be incontestable for any cause whatsoever after their delivery for value.

C. All bonds issued by a junior college district shall be fully negotiable and constitute negotiable instruments within the meaning of and for all the purposes of the Uniform Commerical Code (50A-1-101 to 50A-9-507) as that law is now or may hereafter be in force in this state. If lost or completely destroyed, any bond may be reissued in the form and tenor of the lost or destroyed bond upon the owner furnishing to the

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satisfaction of the board of such junior college:

(1) proof of ownership;

(2) proof of loss or destruction;

(3) a surety bond in twice the face amount of the bond and coupons; and

(4) payment of the cost of preparing and issuing the new bond and coupons.

D. Notwithstanding any other provision of law, the governing body may in any proceedings authorizing bonds hereunder provide for the initial issuance of one (1) or more bonds (in this section called "bond") aggregating the amount of the entire issue and may make such provision for installment payments of the principal amount of any such bond as it may consider desirable and may provide for the making of any such bond payable to bearer or otherwise, registrable as to principal or as to both principal and interest, and where interest accruing thereon is not represented by interest coupons, for the endorsing of payments of interest on such bond. The governing body may further make provisions in any such resolution for the manner and circumstances in and under which any such bond may in the future, at the request of the holder thereof, be converted into bonds of smaller denominations, which bonds of smaller denominations may in turn be either coupon bonds or bonds registrable as to principal or principal and interest.

History: C. 1953, ( ) 73-33-13.1 enacted by Laws 1964 (1st S. S.), ch. 16, ( ) 8; Laws 1966, ch. 3, ( ) 2.

Amendment.

The 1966 amendment inserted "except for the limitation contained in section 73-33-13C New Mexico Statutes Annotated, 1953 Compilation, and" after "amount" in the first sentence of subsection A.

Constitutionality.

The Junior College Act (73-33-1 to 73-33-20) was not void for indefiniteness as to retirement of bonds and payment of interest because subsection C of 73-33-13 provided for a maximum annual tax levy of not more than five mills while this section, prior to 1966 amendment, provided for levy of taxes without limitation since under 73-33-13 the five-mill limitation could be exceeded in any year that the property valuation in the district declined to a lower level than in the year bonds were issued. Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 199 (dissenting opinion 75 N. M. 661, 410 P. 2d 193, 199).

73-33-13.2. Validation of junior college bonds.—All bonds heretofore approved in an election or issued or sold under the Junior College Act (73-33-1 to 73-33-20), or purportedly approved or issued or sold under the Junior College Act, and all acts and proceedings heretofore had or taken, or purportedly had or taken, under the Junior College Act or under color of the Junior College Act for the authorization, execution, sale and issuance of such bonds are hereby validated, ratified, approved and confirmed, except as hereinafter provided, notwithstanding any lack of power, authority or otherwise, other than constitutional, in such bonds, acts and proceedings, and in such authorization, execution, sale and issuance; and such bonds are and shall be binding, legal, valid and enforceable obligations of the junior college district issuing them in accordance with their terms and their authorizing proceedings, including, but not necessarily limited to, the terms, provisions, conditions and covenants of any resolution appertaining thereto, the redemption of bonds before maturity, the levy and collection of taxes, tolls and

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charges, special assessments and general and other taxes, the pledge and use of the proceeds thereof, and the establishment of liens thereon and funds therefor.

History: Laws 1966, ch. 3, (.)

Emergency Clause.
Section 4 of ch. 3, Laws 1966 declared an emergency and provided that the act should take effect upon its passage and approval. Approved February 3, 1966.

73-33-14. Special tax levy for junior college operation.—A. In each junior college district, the board may call an election within the district for the purpose of authorizing the board to levy taxes on all taxable property within the district to be used for current operations and maintenance of the junior college distirct. Such taxes, if authorized as hereinafter provided, shall be in addition to the taxes authorized by section 73-33-13.1 NMSA 1953. This election will be for the purpose of allowing the electors, as the term "electors" is used in article 8, section 2 of the Constitution of New Mexico, to vote on whether or not to allow such a levy, and on a specific limitation not to exceed five (5) mills. If approved by a majority of the electors voting on the issue, the board of county commissioners, at the direction of the junior college board, shall levy such taxes in an amount certified by the state board as necessary to meet the annual budget approved by the state board, but in no event shall the taxes levied exceed the mill limitation approved by the electors. The board must every six (6) years, and may every two (2) years, submit the question of the specific limitation, and whether or not to continue the levy, to the electors for their decision.

B. Levies, assessments and collections authorized for junior college district financing shall be made at the same time and in the same manner as levies, assessments and collections for ad valorem taxes for school districts are made. Upon collection of the levy by the county treasurer, or treasurers, the proceeds shall be deposited in a bank or banks approved by the board. The board is authorized through its financial agent and upon its order to draw upon these funds for the purposes specified at each election.

C. At the next mandatory election provided for in Subsection A of this section, or at any prior election in which the levy for current operations of a junior college is reviewed, the junior college board may submit to the electors the question of whether or not to allow a continuing levy and on a specific mill-limitation on such continuing levy of not to exceed five mills. If approved by a majority of the electors voting on the issue, the tax levy for current operations and maintenance shall become a continuing levy, subject to the mill-limitation approved by the electors and the amount certified by the state board. An election to raise or lower the mill-limitation on, or to abolish, the continuing levy shall be called by the board upon receipt by it of a valid petition. To be valid the petition must be signed by electors of the district in a number equal to ten percent of the number of votes cast in the district for the office of governor at the last general election, and must state the question or questions to be voted upon."

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History: C. 1953 (§ 73-33-14 enacted by Laws 1964 (1st S. S.), ch. 16, § 9; Laws 1965, ch. 277, § 3.

Title of Act.

An act relating to junior colleges; providing for a continuing levy for operation and maintenance by election; and amending section 73-33-14 NMSA 1953 (being Laws 1964 (SS-1), chapter 16, section 9, as amended).—Laws 1969, ch. 178.

Compiler's Notes.

Laws 1964 (1st S. S.), ch. 16, § 9 repealed old section 73-33-14 (Laws 1963, ch. 17, § 14) and enacted a new section 73-33-14. Laws 1969 added subsection "C" to Section 73-33-14.

Amendment.

The 1965 amendment, in subsection A, inserted "as the term 'electors' is used in article 8, section 2 of the Constitution of New Mexico" after "allowing the electors" near the beginning of the second sentence and substituted "electors" for "voters" near the end.

Opinions of Attorney General.

1965-66, No. 65-195.

73-33-14.1. Procedure for elections.—A. In all elections held under the Junior College Act (73-33-1 to 73-33-20), the board calling the election shall give notice of such election in a newspaper of general circulation in the junior college district, at least once a week for three (3) consecutive weeks, the last insertion to be not less than thirty (30) days prior to the proposed election.

B. All elections held under the Junior College Act shall be conducted and canvassed in the same manner as municipal school elections unless otherwise specifically provided in the Junior College Act.

C. Any person or corporation may institute, in the district court of any county in which the junior college district affected lies, an action or suit to contest the validity of any proceedings held under the Junior College Act, but no such suit or action shall be maintained unless it is instituted within ten (10) days after the issuance by the proper official of a certificate or notification of the results of the election.

History: C. 1953, § 73-33-14.1 enacted by Laws 1964 (1st S. S.), ch. 16, § 10.

73-33-14.2. Enrollment defined—payments—Appropriation.— A. As used in this act, "full-time equivalent student" means:

(1) either one full-time student (a student enrolled for one or several terms which in the aggregate consist of thirty-two weeks, and who is taking twenty-three or more contact hours per week for the term or terms for which he is enrolled); or

(2) a computed student symbolized by each whole unit of a figure arrived at by dividing the aggregate number of contact hours taken by all students taking less than twenty-three contact hours a week during a term or terms which total thirty-two weeks, by the number twenty-three.

B. For the purpose of computing the number of full-time equivalent students for the technical and vocational payment, the following formulae shall be used:

(1) for full-time equivalent students based on full-time students the formula is:

$$\text{Full-time equivalent student} = \text{Number of full-time students} \times \frac{\text{Number of weeks of term for which enrolled}}{32}$$

(2) for full-time equivalent students based on part-time students the formula is:

$$\text{Full-time equivalent students} = \frac{\text{Total weekly contact hours}}{736} \times \text{Number of weeks of term for which enrolled}$$

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(C) For the purpose of calculating the junior college payment, full-time equivalent student for those students enrolled in non-college credit technical and vocational courses shall be defined as and shall be computed on the same basis set out in Subsections A and B of this section for full-time equivalent students under the technical and vocational payment. For those students in junior colleges taking college level courses, full-time equivalent students shall be defined and computed by the board of educational finance, in the same manner in which it defines and computes full-time equivalent students for all other college-level programs within its jurisdiction.

(D) No student shall be included in any calculations made under the provisions of this section if he is enrolled in a course, the cost of which is totally reimbursed from federal, state or private sources, or if he is counted in the average daily membership of a public school district for the same time period.

(E) An amount not to exceed three hundred dollars ($300) for each full-time equivalent student may be budgeted for each junior college. For the first year of operation, the board of regents shall estimate the full-time equivalent student population, thereafter, the previous year's full-time equivalent student population shall be used.

(F) The board of educational finance shall require from the junior college such reports as it may deem necessary for the purpose of determining the number of full-time equivalent students at the junior college eligible to receive support under this section.

(G) The board of educational finance may recommend tuition and fee rates, and in fixing tuition and fee rates the junior college board shall separately establish:

(1) rates for New Mexico students residing in the junior college district;
(2) rates for New Mexico students not residing in the junior college district; and
(3) rates for out-of-state students.

(H) See House Bill 200 for subsequent years.

History: C. 1953, § 73-33-14.2 enacted by Laws 1968, ch. 70, § 2.

73-33-15. Sharing of facilities.—Junior college districts may contract for the use of sharing of facilities with any school. Any agreement entered into between the junior college board and a school board shall provide that each district using the facilities shall bear an appropriate and equitable share of the expenses for the maintenance and operation of the facilities used.

History: Laws 1963, ch. 17, § 15.

73-33-16. Addition of school districts to existing junior college districts.—A. The qualified electors within the territorial limits of any school district, group of school districts within a county or school districts in an adjoining county, not included in the junior college district as originally formed, may petition the state board to be added to the junior college district. The state board shall examine the petition and if it finds that the petition is signed by the requisite number of qualified electors as provided in section 73-33-4 and section 73-33-4.1 New Mexico Statutes Annotated, 1953 Compilation, the state board shall cause a survey to be made of the petitioning district or districts to determine the desirability of the proposed extension of the area of the junior college district.

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B. In conducting the survey the state board shall ascertain the attitude of the junior college board and collect other information as prescribed in section 73-33-4 New Mexico Statutes Annotated, 1953 Compilation. If, on the basis of the survey, the state board finds that the proposed addition of the petitioning area will promote an improved education service in the area, it shall approve the petition. Thereafter, the state board shall proceed to call an election within the petitioning area and in the established junior college district on the question of the inclusion of the area in the junior college district. In the election, the procedure prescribed in sections 73-33-5, 73-33-6 and 73-33-14.1 New Mexico Statutes Annotated, 1953 Compilation shall be followed.

C. If it appears on canvass of the results of the election in the office of the secretary that a majority of the votes cast in each of the petitioning areas and within the established junior college district were in favor of the addition of the petitioning area or areas the secretary shall notify the boards of education within each school district and the junior college board of the results of the election and shall declare the extension of the boundaries of the junior college district to include the petitioning area or areas in which the proposed addition referendum carried by a majority vote. Such addition shall take effect on the next succeeding July 1.

D. The territory within each school district added to any existing junior college district shall automatically be subject to any special levy on taxable property approved for the junior college district for the maintenance of facilities and services and for support of bond issues.

History: Laws 1963, ch. 17, (§) 16; 1964 (1st S.S.), ch. 16, (§) 11.

Amendment.

The 1964 amendment, in subsection A, inserted "The qualified electors within the territorial limits of" at the beginning, and substituted "section 73-33-4 and section 73-33-4.1 * * * 1953 Compilation" for "section 4 of the Junior College Act" in the second sentence; in subsection B, substituted "section 73-33-4 * * * 1953 Compilation" for "section 4" at the end of the first sentence, substituted "petitioning area" for the words "school district" in the second sentence, substituted "area" for "school district" following "petitioning" in the third sentence, and substituted "sections 73-33-5, 73-33-6 and 73-33-14.1 * * * 1953 Compilation" for "sections 5 and 6 of the Junior College Act" in the fourth sentence; in subsection C, substituted "petitioning area" for "petitioning districts" and "petitioning area or areas" for "petitioning school district or districts" wherever they appear in the first sentence, and added the second sentence; in subsection D, inserted "The territory within" at the beginning; and made minor changes in punctuation throughout.

73-33-17. Transportation system.—When in the judgment of the board of an established junior college, the educational services of the college can be extended to a number of students who should be served by the college by the establishment of a transportation system, the board may do so through the use of maintenance funds from the annual tax levy. The junior college transportation system shall be limited to nonstop bus routes between outlying population centers within the junior college district and the junior college. Provided that, other laws to the contrary notwithstanding, local school boards within the junior college district shall allow junior college students to ride on public school buses over established routes upon payment by the junior college for the cost

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of such services, and Provided further that the local school boards within the junior college district shall make every effort to schedule their bus routes and times in such manner that they accommodate the junior college students. Students who use college or public school bus facilities may be charged such fees as the junior college board deems reasonable. In lieu of providing any college owned or operated transportation, the board of the junior college may make agreements with local school boards for the transportation of college students to and from the college campus. The college board shall make payments to the local school fund for any transportation.

History: Laws 1963, ch. 17, § 17; 1964 (1st S. S.), ch. 16, § 12.

Amendment.

The 1964 amendment inserted "within the junior college district" in the second sentence; inserted the present third sentence; inserted "or public school" preceding "bus facilities" and "junior college" preceding "board" in the former third, now the fourth, sentence; substituted "any college owned or operated" for "college" following "In lieu of providing" at the beginning of the former fourth, now the fifth, sentence; deleted "and may charge a fee to the college students utilizing the transportation facilities" at the end of the former fifth, now the sixth, sentence, and made other minor changes in phraseology and punctuation.

73-33-18. Dissolution of junior college districts.—Junior college districts may be dissolved in the following manner.

A. Submission of a plan for the dissolution of the junior college district to the secretary by a petition signed by ten per cent (10%) of the qualified electors residing within the district. Upon receipt of a proper plan and petition, the secretary shall call a special election for the purpose of referring to the qualified electors residing in the district the question of dissolution. Plans for the dissolution of a junior college district must provide for the payment of all district debts and liabilities and for the equitable distribution of all remaining assets to the school districts within the junior college district.

B. If the secretary finds that a majority of the qualified electors voting on the issue at the special election have authorized the dissolution, the junior college board shall proceed with the approved plan. Upon completion of the plan, the board of the junior college shall submit a full report to the secretary and a copy of the report to each local school district board within the junior college district.

C. Upon receipt of the final report of the junior college board, the secretary shall examine the report to determine whether or not any outstanding obligations still exist and whether the terms of the approved plan have been accomplished. If, upon determination by the secretary, no obligations are yet outstanding and the provisions of the plan have been fulfilled, he shall formally declare the junior college district dissolved.

History: Laws 1963, ch. 17, § 18; 1964 (1st S. S.), ch. 16, § 13.

Amendment.

The 1964 amendment substituted "qualified electors" for "voters" following "referring to the" in the second sentence of subdivision A, and, in the first sentence of subdivision B, inserted "the secretary finds that" following "If" at the beginning and substituted "qualified electors * * * have authorized" for "qualified voters voting at the special election authorize."

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73-33-19. Refunding bonds of junior college districts.—The board of any junior college district may, with the approval of the state board, issue negotiable coupon bonds, to be denominated refunding bonds, for the purpose of refunding any of the general obligation bonded indebtedness of such junior college. Whenever the board of any junior college district shall deem it expedient to issue refunding bonds, it shall adopt a resolution setting out the facts making the issuance of such bonds necessary or advisable, the determination of such necessity or advisability by the board and the amount of such refunding bonds which the board deems necessary and advisable to issue. Such resolution shall fix the rate or rates of interest of such bonds, which shall not exceed six per cent (6%) per annum the date of the refunding bonds, the denominations thereof, the maturity dates, the last of which shall not be more than twenty (20) years from the date of said refunding bonds, the place of payment within or without the state of both principal and interest, and shall further set out the form of such refunding bonds. Such refunding bonds when issued shall be negotiable in form, and bear the signature or the facsimile signature of the chairman of the board with the seal of the junior college district affixed thereto, and be attested by the secretary of the board. All such refunding bonds may be exchanged dollar for dollar for the bonds to be refunded, or they may be sold as directed by the governing body, and the proceeds thereof shall be applied only to the purpose for which the bonds were issued.

History: C. 1953, § 73-33-19 enacted by Laws 1964 (1st S. S.), ch. 16, § 14.

73-33-20. Liberal construction.—This Junior College Act (73-33-1 to 73-33-20) being necessary to secure the public health, safety, convenience and welfare, it shall be liberally construed to effect its purposes.

History: Laws 1964 (1st S. S.), ch. 16, § 15.

Separability Clause.

Section 16 of ch. 16, Laws 1964 (1st S. S.) read: "If any part or application of the Junior College Act is held invalid, the remainder of the provisions or their application to other situations or persons shall not be affected."

Opinions of Attorney General

1965-66, No. 65-195.

Cited in Daniels v. Watson, 75 N. M. 661, 410 P. 2d 193, 199.

Appendix E

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BOARD OF EDUCATIONAL FINANCE, STATE OF NEW MEXICO
Legislative-Executive Building, Room 201
Santa Fe, New Mexico

March 25, 1966

Format for a Survey and Plan for the Establishment of a Branch Community College

A Community desiring to establish a branch community college must, through the local board of education and the board of regents of the proposed parent institution, transmit a proposal to the Board of Educational Finance. There is attached hereto a format for the required survey and plan to be submitted to the Board of Educational Finance, and a copy of the criteria for establishment of a branch community college developed by the Board of Educational Finance, as required by law.

It is suggested that a community desiring to establish a branch community college follow these steps:

1. Review the criteria for establishment of a branch community college to see if, in general, these criteria can be met.
2. Determine what school district or districts are to be included, and secure the necessary involvement of the board or boards of education.
3. Make a clearcut determination that a branch community college, rather than a local junior college, is desired.
4. Determine what institution is desired as the parent institution, and secure the cooperation of that institution in developing the survey and plan.
5. Arrange for a meeting of the local board, representatives of the parent institution, and the staff of the Board of Educational Finance, to initiate the work of developping the survey and plan.

The involvement of the local board, the parent institution, and the Board of Educational Finance staff at this early stage will facilitate the completion of the steps necessary for establishment of a branch community college.

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March 25, 1966

Criteria for the Establishment of a Branch Community College

Developed by the Board of Educational Finance Pursuant
to Section 73-30-18 New Mexico Statutes Annotated 1953 Compilation

The criteria by which the Board of Educational Finance will evaluate any proposal to establish a branch community college are as follows:

1. Enrollment Base There must be a minimum sustained flow of 250 high school graduates annually from the public and non-public high schools located within the school district or districts proposing to establish the branch community college.

2. Geographic Considerations There must be no public four-year higher education institution, branch community college, or junior college within commuting distance, normally 40 miles, of the major population center of the school district or districts proposing to establish the branch community college. If there is a private college in the community, this must be given thorough consideration and lack of educational opportunity must be demonstrated.

3. Program There must be evidence that the proposed branch community college will be able to operate, on a practical cost basis, a program of college credit courses at the freshman and sophomore levels sufficient so that an individual student will be able to complete normal freshman and sophomore course requirements within two academic years of full-time attendance. There must be evidence that the proposed branch community college will be able to provide adequate guidance services to the students.

4. Staffing There must be evidence that qualified staff will be available so that all courses will be taught by individuals who have a masters degree or equivalent in the subject taught, who are qualified to teach on the main campus of the parent institution, and who are approved by the department of the parent institution. Not more than one course can be taught as an overload by an individual otherwise employed full time Plans must include movement to full-time, non-overload staffing and finally to full-time college staff members.

There must be evidence that qualified staff will be provided for the position of Director of the proposed branch community college and for guidance and library functions.

5. Facilities There must be adequate facilities available for the teaching of all courses to be offered. Some classroom facilities must be available for classes to be taught during the regular school day. Facilities for administrative,

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Criteria for Establishment of
Branch Community College
continued

library, and guidance functions of the branch community college must be available. Plans for necessary future development of facilities for the branch community college must be projected.

6. Library There must be evidence that adequate library resources for the proposed branch community college can be provided.

7. Financing A financing plan must be submitted based on the following elements for current operations:

a. a local tax of $100 per F.T.E. student as permitted by law.

b. tuition and fees at rates which, considering the differences between a branch community college program and a main-campus program, are comparable to the rates on the main campus of the parent institution.

c. state support at not to exceed $300 per F.T.E. student as provided by law, with the state support not to be provided unless and until the levying of $100 per F.T.E. student of local tax has been put into effect.

A projected budget must show that funds as listed above will support an expenditure budget sufficient to meet criteria three to six inclusive and sufficient for the number of students projected.

The financing plan must show that needed development of facilities can be provided.

8. There must be evidence that the community is prepared to give full support to the proposed branch community college; including full cooperation of the public schools and other appropriate community agencies, willingness to support the $100 per F.T.E. local tax levy, interest in providing scholarships and part-time employment for students, and other appropriate indications of community interest.

9. There must be submitted a survey and plan, prepared jointly by the Board of Education and the proposed parent institution, set forth in accordance with the format prescribed by the Board of Educational Finance.

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BOARD OF EDUCATIONAL FINANCE, STATE OF NEW MEXICO
Legislative-Executive Building, Room 201
Santa Fe, New Mexico

March 25, 1966

Format for Survey and Plan

I Need for a Branch Community College from the Standpoint of Educational Opportunity.

A. A follow-up study of local high school graduates.

B. A survey of the local adult population to determine demand for a branch community college program.

C. An examination of the geographic aspects of educational opportunity for the community.

II Enrollment Base

A. An enrollment history in public and non-public schools presented in a format supplied by the staff of the Board of Educational Finance.

B. A review of social and economic factors of the community which will have a bearing on future enrollment levels.

C. A projection of enrollments and high school graduates in the public and non-public schools and enrollments in the branch community college.

III Program

A. A listing of the courses to be offered in the proposed branch community college specifying those which will be most likely offered during the regular school day. A showing that these courses will permit an individual student to complete normal freshman and sophomore requirements within two academic years of full time attendance, and a showing of the extent of which these courses will fall short of permitting an individual to complete freshman and sophomore requirements in specialized fields, such as engineering and business.

B. A description of the guidance services to be provided.

IV Staffing

A. An inventory of staff currently available in the community who are qualified to teach the courses listed in IIIA and to perform the administrative, guidance, and library functions

B. A plan for securing the additional qualified staff which will be

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needed, and for movement to full-time, non-overload staffing and finally to full-time college staff members.

V Facilities

A. An inventory of facilities, including equipment, currently available for the teaching of the courses listed in IIIA and for administrative, guidance, and library functions of the branch community college.

B. A plan for future development of facilities for the branch community college.

VI Library

A. A report by the librarian of the parent institution which presents an inventory of library resources currently available and a plan for development of adequate library resources for the courses to be offered.

B. A plan, in specific detail, for the operation of the branch community college library, including the manner in which library staff will be used and use of the parent institution's library resources.

VII Financing

A. A projected operating budget based on projected enrollments as shown in IIC, the courses to be offered as listed in IIIA; the staffing shown in IV; the operation of the facilities shown in V; the library development shown in VI; and income from the local tax levy, tuition and fees, state support, and any other income which is anticipated.

B. A financing plan for the development of the facilities shown in V.

VIII Community Support

A. Specific evidence of willingness to cooperate, on the part of the public schools and other community agencies, in doing the things necessary for the development of the branch community college in the areas of staffing, facilities, and library.

B. Specific evidence of support by appropriate community leadership for the levying of the local tax as permitted by law and for developing the facilities projected as needed.

C. Evidence of interest in providing scholarship aid, part time work

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Format for Survey & Plan
Continued

for students, and other kinds of tangible support for the branch community college.

IX The Proposed Agreement - As a part of the survey and plan, a proposed written agreement between the local board and the board of regents of the parent institution as required by law, shall be drafted.

UNIVERSITY OF CALIF.
LOS ANGELES

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